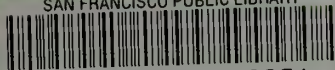


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SAN FRANCISCO
BOARD OF SUPERVISORS

HEALTH, PUBLIC SAFETY &
ENVIRONMENT COMMITTEE

MINUTES

This volume includes Calendars and Budget Analyst Memoranda.
The Minutes of the meetings in this volume are not available.

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1/24/95

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

TUESDAY, JANUARY 24, 1995 - 10:00 A.M.

CITY HALL, ROOM 228
SAN FRANCISCO, CA 94102

MEMBERS: SUPERVISORS ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL
CLERK: Joni Blanchard

* * * * *

Disability Access

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1. File 207-95-1. Hearing to consider the Police Department's ABC New Year's Day raid on a benefit event for Visual Aid at 938 Harrison Street. (Supervisors Hallinan, Alioto, Migden, Bierman, Leal)

ACTION:

2. File 30-94-26. [Managed Care Providers Marketing Practices] Hearing to consider the marketing practices of managed care providers. (Supervisor Leal)
(Consideration continued from 12/13/94)

ACTION:

3. File 128-94-2. [Hazardous Waste Pilot Collection Program] Resolution approving a hold harmless provision for The Very Small Quantity Generator Hazardous Waste Pilot Collection Program jointly operate by Sanitary Fill Company and the Chief Administrative Officer. (Supervisor Hallinan)

ACTION:

4. File 83-94-5. Hearing to consider the expansion of winter emergency housing programs for the homeless. (Supervisor Alioto)
(Consideration continued from 12/13/94)

ACTION:

HEALTH, PUBLIC SAFETY AND
ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
ROOM 235, CITY HALL
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CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

January 20, 1995

TO: Health, Public Safety and Environment Committee

FROM: Budget Analyst

SUBJECT: January 24, 1995 Health, Public Safety and Environment Committee Meeting

Item 3 - File 128-94-2

Department: Chief Administrative Officer (CAO)

Item: Resolution approving a hold harmless provision for the Very Small Quantity Generator Hazardous Waste Pilot Collection Program jointly operated by Sanitary Fill Company and the Chief Administrative Officer.

Description: The proposed resolution would authorize the Chief Administrative Officer (CAO) to enter into a Fourth Amended Agreement, (including a hold harmless provision), with Sanitary Fill Company to operate a program allowing generators of very small quantities of hazardous waste to dispose of such waste at Sanitary Fill Company's Household Hazardous Waste Collection Facility one day per month in 1995. The program, known as Very Small Quantity Generators (VSQG) Pilot Days, has been operated by Sanitary Fill Company since 1992, and has been approved annually by the Board of Supervisors (File 57-92-5, File 128-93-1 and File 172-94-7). This proposed Fourth Amended Agreement expands the number of VSQG Pilot Days from 6 in 1994 to 12 in 1995.

According to Mr. Bill Quan, Program Manager for the CAO's Hazardous Waste Management Program, the VSQG

BOARD OF SUPERVISORS
BUDGET ANALYST

Pilot Days Program allows businesses such as painting contractors, print shops, and building contractors to dispose of their hazardous waste in an approved way, prevents such waste from being stored at the businesses, and helps minimize the amount of hazardous waste going to the Altamont Landfill, as is required under the City's agreement with the operators of the Altamont Landfill. Generators must produce less than 100 kilograms of hazardous waste materials per month in order to participate in this program. In addition, information regarding the demand for disposal of hazardous waste from the VSQG Pilot Days Program is needed in order to design a permanent VSQG Program. According to Mr. Quan, the proposal to expand the number of VSQG days from 6 to 12 days (one day per month) is in accordance with the level of need for this service. Currently, generators must schedule a disposal appointment, and long waiting periods for a disposal appointment are common. The monthly VSQG days will help avoid these delays and minimize the risk from storing hazardous waste at local businesses, according to Mr. Quan.

The proposed resolution would; (1) authorize the CAO to enter into a Fourth Amended Agreement for the VSQG Pilot Days Program with Sanitary Fill Company to conduct 12 VSQG Days at its Household Hazardous Waste Facility in 1995, and, (2) approve a hold harmless provision contained within this Fourth Amended Agreement. Specifically, the proposed Fourth Amended Agreement contains the following provisions:

1. The City agrees that, for the 12 days in which hazardous waste materials are collected from VSQGs, the City would accept responsibility and liability for this hazardous waste collection as defined in applicable State and Federal laws.
2. The City agrees that, for the 12 days in which hazardous waste materials are collected from VSQGs, the City would hold the Sanitary Fill Company harmless from any loss, costs, expenses, claims, penalties, fines, settlements, forfeitures and suits (including costs of defense, settlement, expert witness fees, and attorneys' fees) which arise from the Sanitary Fill Company being held liable or responsible for the hazardous waste received from VSQGs at its household hazardous waste collection facility. The exception to this provision would be those costs caused by the Sanitary Fill Company's failure to operate or manage the household hazardous waste collection facility in

Memo to Health, Public Safety and Environment Committee
January 24, 1995 Health, Public Safety and Environment Committee Meeting

accordance with the terms of the proposed amended Agreement, and/or in good faith compliance with applicable State and Federal laws.

Comments:

1. The City Attorney's Office has reviewed and approved as to form the Fourth Amended Agreement, and the hold harmless provision. According to Ms. Elaine Warren of the City Attorney's Office, the proposed Agreement contains the same provisions that the Board of Supervisors approved in the First, Second and Third Amended Agreements with Sanitary Fill Company, except that the number of VSQG days has been increased from six for 1994 to twelve for 1995.

2. The title of the proposed resolution is incorrect; it states that the legislation would "approve a hold harmless provision for the Very Small Quantity Generator Hazardous Waste Pilot Collection Program jointly operated by Sanitary Fill Company and the Chief Administrative Officer." However, as described above, the proposed resolution would; (1) authorize the CAO to enter into a Fourth Amended Agreement for the VSQG Pilot Days Program with Sanitary Fill Company to conduct 12 VSQG Days at its Household Hazardous Waste Facility in 1995, and (2) approve a hold harmless provision contained within this Fourth Amended Agreement. Therefore, the title of the proposed resolution should be amended to reflect this additional authorization.

3. The proposed resolution has no direct fiscal impact for the City. Disposal fees are paid by the VSQG generators to Sanitary Fill Company for this service.

Recommendation:

1. Amend the title of the proposed resolution to reflect that the resolution will also authorize the CAO to enter into a Fourth Amended Agreement as described above in Comment 2.

2. Approval of the proposed resolution, as amended, is a policy matter for the Board of Supervisors.

Memo to Health and Public Safety Committee
January 24, 1995 Health and Public Safety Committee Meeting

Item 4 - File 83-94-5

Note: This item was continued by the Health, Public Safety and Environment Committee at its meeting of December 13, 1994.

Item: Hearing to consider the expansion of winter emergency housing programs for the homeless.

Description: Estimates of the number of homeless in the City range from 5,552 by the 1990 U.S. Census Bureau to over 10,000 by some advocacy organizations. Estimates of the number of individuals who seek shelter and are turned away on any given night range from 115 in a survey by KRON-TV to 500 (duplicated) in a survey by Independent Housing Services.

San Francisco has approximately 1,500 emergency shelter beds, 125 emergency hotel room beds, 171 transitional housing beds, and 1,910 permanent supportive housing beds available for homeless persons. Therefore, there are approximately 1,625 (1,500 plus 125) beds available as "emergency" housing year-round. Some, but not all, of the emergency shelter programs receive City funding.

For example, emergency shelters for men are operated by the Salvation Army (54 beds), the Multi-Service Center South (200 beds), and the Dolores Street Shelter (70 beds). Women's shelters and shelters for battered women are operated by St. Paulus (50 beds) and La Casa de las Madres (25 beds). Family and Youth shelters are operated by Hamilton Family Shelter (70 beds), Richmond Hills Residence (40 beds), Traveler's Aid (54 beds), and Diamond Street Youth Center (20 beds). The cost of emergency shelter beds typically ranges from approximately \$10-\$20 per night. Time limits for shelter stays range from 1 night to as long as 180 days.

During the winter of 1993-94, the number of emergency beds added over the 1,625 shelter beds noted above ranged from 60-100 beds for men, and 10 hotel rooms for families, as winter shelters operated by Episcopal Community Services and Catholic Charities were made available to serve the homeless. These shelters were partially funded with approximately \$84,000 from the General Fund and were operational from Thanksgiving until March.

According to Mr. Jim Buick of the Department of Social Services (DSS), during the winter of 1994-95, approximately 100 beds in churches will be available including 40 additional beds recently made available by St. Boniface

Memo to Health and Public Safety Committee
January 24, 1995 Health and Public Safety Committee Meeting

Church. The hotel service for 10 families that was available in 1993-94 will not be operating, however a new 40-bed transitional housing program for families run by Traveler's Aid opened on December 7th and Catholic Charities has recently been awarded \$17,950 in State grant funds for hotel vouchers for homeless families. Up to 25 families will be provided with these hotel vouchers and case management during the winter months. In addition, the DSS established a winter shelter program for 19 family members at Oak Street House which opened on December 1, 1994 and will continue to March 31, 1995.

The DSS has approximately \$49,000 available to fund winter emergency shelter housing, all of which is committed to the church shelter program. According to Mr. Buick, the DSS has also been able to partially fund the Oak Street House shelter with approximately \$10,000, for a total of \$59,000.

Mr. Buick states that in keeping with the City's focus on developing a continuum of care for homeless persons, DSS together with the Mayor's Homeless Budget Advisory Task Force are concentrating their efforts and funding on developing transitional and permanent supportive housing rather than on expanding emergency shelter services.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
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BOARD of SUPERVISORS



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February 1, 1995

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NOTICE OF CANCELLED MEETING

NOTICE IS HEREBY given that the regularly scheduled meeting of the Health, Public Safety and Environment Committee for Tuesday, February 14, 1995, at 10:00 a.m., has been cancelled due to the relocation of our City Hall offices to the War Memorial Building. The next regular meeting is scheduled for Tuesday, February 28, 1995.

A handwritten signature in cursive script that reads "John L. Taylor".
John L. Taylor
Clerk of the Board

POSTED: FEBRUARY 2, 1995

HEALTH, PUBLIC SAFETY AND
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HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

TUESDAY, FEBRUARY 28, 1995 - 10:00 A.M.

INTERIM CITY HALL
LEGISLATIVE CHAMBER
FOURTH FLOOR, ROOM 404
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Terence Hallinan, Susan Leal

CLERK: Joni Blanchard

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REGULAR CALENDAR

1. File 207-95-4. [Tony Ray] Hearing to consider the unsolved murder of Anthony "Tony" Ray who was killed in the Polk Gulch on March 24, 1994. (Supervisors Migden, Alioto)

ACTION:

2. File 197-95-4. [Museum, City of San Francisco] Resolution urging the Mayor to recognize the "Museum of the City of San Francisco" as the official historical museum of the City and County of San Francisco. (Supervisor Alioto)

ACTION:

3. File 197-95-5. [San Francisco Museum] Hearing to consider moving the Museum of the City of San Francisco from its present location at the Cannery to the third and fourth floors of the Veteran's Building after the offices of the Board of Supervisors and the Mayor have returned to City Hall. (Supervisor Alioto)

ACTION:

4. File 100-95-3. [Budget, Department of Public Health, 1995-96] Hearing to consider the Department of Public Health's fiscal year 1995-96 budget and the potential impact on services. (Supervisors Alioto, Bierman)

ACTION:

5. File 47-95-6. [Vallejo Street Parking Garage] Hearing to consider the plans to demolish the Vallejo Street Parking Garage 225 parking spaces and replace it with 150 spaces and its impact on the North Beach community. (Supervisors Alioto, Bierman)

ACTION:

6. File 207-95-2. [Permit, One-Night Dance] Hearing to consider the Police Department's "One-Night Dance" permit policy and its impact on the business and entertainment industry. (Supervisor Alioto)

ACTION:

HEALTH, PUBLIC SAFETY AND
ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
INTERIM CITY HALL
LEGISLATIVE CHAMBER
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BUDGET ANALYST

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February 24, 1995

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst
SUBJECT: February 28, 1995 Health, Public Safety and Environment Committee Meeting

Item 4 - File 100-95-3

Department: Department of Public Health (DPH)

Item: This item is a hearing to consider the Department of Public Health's FY 1995-96 budget and the potential impact on services.

Description: The total estimated budget for DPH in FY 1995-96 is \$654.4 million or \$23 million more than the FY 1994-95 budget of \$631.4 million. The DPH is anticipating net expenditure increases totaling \$35 million over the estimated \$654.4 budget for FY 1995-96, which include \$8.85 million in increased labor costs due to the SEIU arbitration agreement. In addition, according the DPH, the DPH budgeted \$11.4 million in one-time revenue in FY 1994-95, which must be replaced in next fiscal year to maintain the current level of services and associated operating expenses.

The DPH advises that for FY 1995-96, its ability to enhance revenue has been hampered by changes in the State Legislature and Congress, which are predicted to negatively impact funding for health and welfare programs.

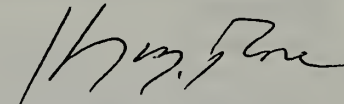
Memo to Health, Public Safety and Environment Committee
February 28, 1995 Health, Public Safety and Environment Committee Meeting

The DPH is proposing to absorb the projected \$35 million in net expenditure increases for FY 1995-96 in the following manner:

Enhanced Revenues	\$17,300,000
Other DPH Funding Requirements to be paid for by, as yet, undermined funding sources	4,200,000
Administrative/Operating Efficiencies	11,000,000
Unspecified Service Reductions	900,000
Savings to be realized as a result of the DPH's initiatives in moving towards Managed Care	<u>1,900,000</u>
Total	\$35,300,000

Comment:

Upon submission of the Mayor's recommended FY 1995-96 budget to the Board of Supervisors, the Budget Analyst will report his recommendation to the Board's Budget Committee on the DPH budget and all other City and County budgets.


Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
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HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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TUESDAY, MARCH 14, 1995 - 10:00 A.M.

INTERIM CITY HALL
LEGISLATIVE CHAMBER
4TH FLOOR, ROOM 404
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Terence Hallinan, Susan Leal

CLERK: Joni Blanchard

* * * * *

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REGULAR CALENDAR

1. File 30-94-26. [Managed Care Providers Marketing Practices] Hearing to consider the marketing practices of managed care providers. (Supervisor Leal)
(Consideration continued from 1/24/95)
(CHAIR MAY ENTERTAIN A MOTION TO FILE THIS ITEM).

ACTION:

2. File 30-94-22. [VDT Advisory Committee Annual Report] Hearing to consider the Video Display Terminal Worker's Safety Ordinance Advisory Committee's 1994 Annual Report. (Supervisors Alioto, Bierman)
(Consideration continued from 12/13/94)

ACTION:

3. File 30-94-21.1. [San Francisco Czar] Resolution urging the Board of Supervisors to review the feasibility of the appointment of a Director "Czar" to Mental Health and Substance Abuse Treatment and Prevention. (Supervisor Alioto)
(Consideration continued from 11/22/94)

ACTION:

4. File 207-94-21.1. [Matrix Program] Hearing to consider the constitutionality of the "Matrix" Program in light of the U.S. Justice Department's amicus curiae brief. (Supervisor Alioto)

ACTION:

5. File 207-94-21. [Matrix Program] Resolution urging the Mayor to re-direct police activities from the enforcement of quality of life infractions in light of the United States Justice Department's declaration that such acts violate the 8th Amendment to the United States Constitution because they constitute cruel and unusual punishment. (Supervisor Alioto)

ACTION:

HEALTH, PUBLIC SAFETY AND
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BOARD OF SUPERVISORS
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BOARD OF SUPERVISORS**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

March 14, 1995 DOCUMENTS DEPT.

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TO: Health, Public Safety and Environment CommitteeSAN FRANCISCO
PUBLIC LIBRARY**FROM:** Budget Analyst**SUBJECT:** March 14, 1995 Health, Public Safety and Environment Committee MeetingItem 2 - File 30-94-22

Item: This item is a hearing to consider the Video Display Terminal (VDT) Worker Safety Ordinance Advisory Committee's 1994 Annual Report.

Description: In December of 1990, the Board of Supervisors approved the VDT Worker Safety Ordinance requiring employers to comply with specified safety requirements for employees using VDTs. In 1992, the San Francisco Superior Court ruled that the ordinance did not apply to private employers located in San Francisco. This ordinance now pertains only to the City and County of San Francisco as an employer. Studies by the National Institute for Occupational Safety and Health have found that prolonged use of VDTs, commonly used as computer display screens, can cause shoulder, neck and wrist pain as well as problems with vision.

The VDT Worker Safety Ordinance requires the creation of a seven-member VDT Worker Safety Ordinance Advisory Committee to (1) keep the Board of Supervisors updated on VDT regulations and health and safety information and, (2) review and make recommendations on the implementation, and if appropriate, revision, of the previously approved VDT Ordinance.

The VDT Worker Safety Ordinance Advisory Committee, a seven-member committee, meets monthly and is composed of (1) two representatives from business, one of whom is nominated by the San Francisco Chamber of Commerce and one of whom is nominated by the Small Business Advisory Commission, (2) two representatives from labor, both nominated by the San Francisco Central Labor Council, and (3) three representatives from VDT scientific research fields, including one nominated by the San Francisco Chamber of Commerce, one nominated by the San Francisco Central Labor Council, and one nominated by the Mayor. The members of the VDT Advisory Committee serve staggered terms of four years each and all nominations are subject to appointment by the Board of Supervisors.

In its 1994 Annual Report, the VDT Advisory Committee recommended that:

- (1) the Board of Supervisors support the continuation of the VDT Ordinance and the VDT Advisory Committee,
- (2) the Board urge the Mayor to ensure that City departments have adequate funding for compliance with the VDT Ordinance,
- (3) the Board urge the Mayor to publicize the VDT Ordinance and direct department heads to attend a VDT education program,
- (4) the Board encourage the establishment of departmental VDT committees,
- (5) the VDT Ordinance be amended to impose financial or disciplinary penalties on departments and department heads that fail to comply with the VDT Ordinance,
- (6) the VDT Ordinance be amended to require training for all VDT users, including casual users of one to four hours a day,
- (7) the VDT Ordinance be amended to require the provision of worker-adjustable workstations for those workers diagnosed with certain VDT-related disorders,
- (8) the Chamber of Commerce replace the Small Business Committee in the nomination of a representative (thereby giving the Chamber a total of 3 representatives, and

(9) the DPH evaluate the implementation and effectiveness of the VDT Ordinance.

Comment:

Mr. Richard Lee of the DPH estimates that the additional costs to the City of implementing the recommendations, which are contained in the VDT Safety Ordinance Advisory Committee's 1994 Annual Report, with the exception of Recommendation No. 7, would be minimal because implementation would involve existing staff. Recommendation No. 7 states "the VDT Ordinance be amended to require the provision of worker-adjustable workstations for those workers diagnosed with certain VDT-related disorders." Mr. Lee states that since the number of employees with VDT-related disorders is not known, he is unable to determine the costs of implementing Recommendation No. 7 at this time.

Item 3 - File 30-94-21.1

Department: Department of Public Health (DPH)
Community Mental Health and Substance Abuse Services

Item: Resolution urging the Board of Supervisors to review the feasibility of the appointment of a Czar to serve as the Director of Mental Health and Substance Abuse Treatment and Prevention programs.

Description: The Federal Violent Crime Control and Law Enforcement Act of 1994 (the Crime Bill) will provide grants to local communities for (a) prevention and treatment programs to reduce substance abuse, child abuse and adolescent pregnancy; (b) education, training, research, prevention, diversion, treatment and rehabilitation programs for juveniles; and (c) education, jobs and substance abuse treatment for the prevention of crime. According to Mr. Larry Meredith of the Department of Public Health (DPH), the amount that San Francisco is eligible to receive from such grant funds is uncertain at this time.

The proposed resolution would urge the Board of Supervisors to review the feasibility of appointing a Czar to serve as the Director of Mental Health and Substance Abuse Services programs. According to the proposed resolution, the appointment of a Czar could assist San Francisco in potentially increasing the amount of the grant funds that would otherwise be allocated to San Francisco.

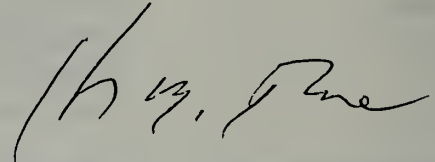
According to the proposed resolution, the Mayor, the Director of Public Health, the Chief Administrative Officer (CAO), the Controller and the Board of Supervisors would determine the selection process for choosing the proposed Czar of Mental Health and Substance Abuse Services programs.

The functions of the Czar would include (a) acting as a drug policy liaison and (b) coordinating and integrating substance abuse and mental health programs, in order to increase Federal, State and local funding of San Francisco mental health and substance abuse programs.

Comment: According to the Office of the Author of the proposed resolution, the Czar would not be a new position, but rather an already existing position who would undertake the new Czar-related responsibilities in addition to his or her normal duties.

Memo to Health, Public Safety and Environment Committee
March 14, 1995 Health, Public Safety and Environment Committee Meeting

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
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HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

TUESDAY, MARCH 28, 1995 - 10:00 A.M.

VETERANS BUILDING
COMMITTEE ROOM
FOURTH FLOOR, ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisor Angela Alioto, Terence Hallinan, Susan Leal

CLERK: Joni Blanchard

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For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

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REGULAR CALENDAR

1. File 5-95-1. [Cryptosporidium in Water Supply] Hearing to determine whether San Francisco water supply is showing traces of cryptosporidium and if employers are providing workers with access to fresh drinking water. (Supervisors Migden, Ammiano, Alioto)

ACTION:

2. File 207-95-3. [Office of Citizen Complaints] Hearing to consider issues concerning the Office of Citizen Complaints and the Police Department regarding more effective civilian and departmental oversight of police officers and patrol special officers; policies and procedures regarding investigations into alleged misconduct, discipline and accountability. (Supervisors Ammiano, Alioto)

ACTION:

3. File 189-95-1. [Billboards] Hearing to consider the impact of the installation of "Jumbotron" billboard on the east side of Union Street. (Supervisors Alioto, Bierman)

ACTION:

4. File 7-95-2. [Municipal Railway Repairs] Hearing to consider the Municipal Railway repairs and procedures. (Supervisor Alioto)

ACTION:

HEALTH, PUBLIC SAFETY AND
ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING, ROOM 308
401 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

IMPORTANT HEARING NOTICE!!!

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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

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APR 10 1995
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TUESDAY, APRIL 11, 1995 - 10:00 A.M.

VETERANS BUILDING
COMMITTEE ROOM
4TH FLOOR, ROOM 410
401 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

MEMBERS: Supervisors Angela Alioto, Terrence Hallinan, Susan Leal

CLERK: Joni Blanchard

* * * * *

Disability Access



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REGULAR CALENDAR

1. File 207-95-3. [Office of Citizen Complaints] Hearing to consider issues concerning the Office of Citizen Complaints and the Police Department regarding more effective civilian and departmental oversight of police officers and patrol special officers; policies and procedures regarding investigations into alleged misconduct, discipline and accountability. (Supervisors Ammiano, Alioto)
(Consideration continued from 2/28/95)

ACTION:

2. File 30-95-5. [Crab Cooking Areas] Hearing to compare Federal Health Department regulations and San Francisco health inspection reports regarding crab cooking areas in "Fish Alley" at Fisherman's Wharf. (Supervisor Alioto)

ACTION:

3. File 7-95-2. [Municipal Railway Repairs] Hearing to consider the Municipal Railway repairs and procedures. (Supervisor Alioto)
(Consideration continued from 2/28/95)

ACTION:

4. File 30-94-21.1 [San Francisco Czar] Resolution urging the Board of Supervisors to review the feasibility of the appointment of a Director "Czar" to Mental Health and Substance Abuse Treatment and Prevention. (Supervisor Alioto)
(Consideration continued from 3/14/95)

ACTION:

5. File 205-93-1. [Funds Generated from War Memorial for Veterans Prog.] Hearing to consider the management and oversight of funds generated from the War Memorial Center for Veterans programs and how to maximize local programs for veterans. (Supervisor Alioto)

ACTION:

6. File 30-94-26. [Managed Care Providers Marketing Practices] Hearing to consider marketing practices of managed care providers. (Supervisor Leal)
(Consideration continued from 3/14/95)

ACTION:

HEALTH, PUBLIC SAFETY AND
ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING, ROOM 308
401 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

IMPORTANT HEARING NOTICE!!!

**BOARD OF SUPERVISORS****BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

April 7, 1995

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APR 11 1995

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TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst
SUBJECT: April 11, 1995 Health, Public Safety and Environment Committee Meeting

Item 4 - File 30-94-21.1

Note: This item was continued by the Health, Public Safety and Environment Committee at its meeting of March 14, 1995.

Department: Department of Public Health (DPH)
Community Mental Health and Substance Abuse Services

Item: Resolution urging the Board of Supervisors to review the feasibility of the appointment of a Czar to serve as the Director of Mental Health and Substance Abuse Treatment and Prevention programs.

Description: The Federal Violent Crime Control and Law Enforcement Act of 1994 (the Crime Bill) will provide grants to local communities for (a) prevention and treatment programs to reduce substance abuse, child abuse and adolescent pregnancy; (b) education, training, research, prevention, diversion, treatment and rehabilitation programs for juveniles; and (c) education, jobs and substance abuse treatment for the prevention of crime. According to Mr. Larry Meredith of the Department of Public Health (DPH), the amount that San Francisco is eligible to receive from such grant funds is uncertain at this time.

The proposed resolution would urge the Board of Supervisors to review the feasibility of appointing a Czar to serve as the

Director of Mental Health and Substance Abuse Services programs. According to the proposed resolution, the appointment of a Czar could assist San Francisco in potentially increasing the amount of the grant funds that would otherwise be allocated to San Francisco.

According to the proposed resolution, the Mayor, the Director of Public Health, the Chief Administrative Officer (CAO), the Controller and the Board of Supervisors would determine the selection process for choosing the proposed Czar of Mental Health and Substance Abuse Services programs.

The functions of the Czar would include (a) acting as a drug policy liaison and (b) coordinating and integrating substance abuse and mental health programs, in order to increase Federal, State and local funding of San Francisco mental health and substance abuse programs.

Comment:

According to the Office of the Author of the proposed resolution, the Czar would not be a new position, but rather an already existing position who would undertake the new Czar-related responsibilities in addition to his or her normal duties.

Recommendation:

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Item 5 - File 205-93-1

Note: This item was continued from the Budget Committee hearing of April 20, 1994, and transferred to the Health, Public Safety and Environment Committee as of January 30, 1995.

Item: Hearing to consider the management and oversight of funds generated from the War Memorial for veterans programs and how to maximize local programs for veterans.

Description: In 1918, a group of San Francisco citizens became interested in constructing a Symphony Hall, Opera House and Art Museum. An option was purchased for the lot bounded by Hayes, Franklin, Grove and Van Ness (the current site of Davies Symphony Hall). In 1920, members of the newly-formed American Legion suggested that the project be designated as San Francisco's War Memorial. This idea was accepted and a public City-wide fund drive for this effort raised over \$2 million. The Regents of the University of California were designated as Trustees for these funds, signed a formal Trust Agreement with the initial group of citizens, and were designated as Trustees of the War Memorial. In 1930, the City agreed to take over the Regents' responsibilities under the Trust.

When the Trust Agreement was established, it was thought that three buildings would be constructed using the \$2 million in donated funds. The Trust Agreement named two organizations — the San Francisco Art Association (now the Museum of Modern Art) and the San Francisco Posts of the American Legion to occupy two of the buildings and to be beneficiaries of the Trust. Preferential right for use of the third building, a theater or auditorium, was given to the Musical Association of San Francisco (now the San Francisco Symphony).

The San Francisco Posts of the American Legion established an American Legion War Memorial Commission (ALWMC), which now consists of one representative from each Post, to carry out the provisions of the Trust Agreement for the Posts. According to the City Attorney, the ALWMC is a standing committee of the American Legion, which is a private organization. The City has no control or authority over the American Legion or the ALWMC.

At this time the Museum of Modern Art occupies only basement storage space in the Veterans Building. However, the Museum still retains its rights as a beneficiary of the Trust Agreement, and has informed the War Memorial

BOARD OF SUPERVISORS
BUDGET ANALYST

Board that it may wish to use some part of the space in the building at a future date.

The responsibilities of the San Francisco Posts of the American Legion and the Museum of Modern Art, according to the Trust Agreement, include: (1) to perform all interior upkeep and repair (Section 9(d)); and, (2) to pay for all heat, light, gas, electricity, water, steam or other public utility used on their premises, and for all janitor and elevator service (Section 9(l)). The ALWMC does not currently pay these costs, even though the Trust Agreement specifically states that such costs are the obligation of the ALWMC. Also, the War Memorial supports maintenance and upkeep services for the entire Veterans Building, such as engineers' and gardener's salaries. Both the San Francisco Posts of the American Legion and the Museum of Modern Art are exempt from rent payments to the City (Section 9(a)).

Pursuant to a 1977 agreement between the War Memorial Board of Trustees and ALWMC, the War Memorial and Performing Arts Center provides an annual payment to the ALWMC to cover the costs of the ALWMC's administration, currently at \$20,000 per year. In exchange, the ALWMC has granted the War Memorial Board of Trustees the exclusive right to manage, control and derive revenue from the Veterans Auditorium (now the Herbst Theatre) and the Green Room. This agreement also provides for an annual payment of \$6,000 to the ALWMC from the Museum of Modern Art in exchange for basement storage space in the Veterans Building, which space was relinquished by the ALWMC to the Museum.

The ALWMC is empowered, according to the Trust Agreement, to provide headquarters for "Veterans of the Mexican War, Grand Army of the Republic, Spanish-American War Veterans, and such other patriotic organizations as said San Francisco Posts of the American Legion may from time to time desire to install." In other words, the ALWMC may grant space in the Veterans Building to veterans organizations other than San Francisco American Legion Posts. Approximately one-half of the first floor of the Veterans Building is allocated to veterans organizations for office space, including Disabled American Veterans, Veterans of Foreign Wars, Swords to Ploughshares, and Jewish War Veterans. The second floor of the Veterans Building, other than the Green Room, is devoted to meeting rooms for veterans and veterans organizations.

It is currently the responsibility of the ALWMC to allocate space for veterans organizations in the Veterans Building and to schedule meetings in the second floor meeting rooms. The \$26,000 in total annual funds received by the ALWMC, from the War Memorial Performing Arts Center and the Museum of Modern Art, supports a part-time office manager and operating expenses (such as telephone, postage, copy service, and bank fees) to execute these scheduling and space allocation responsibilities.

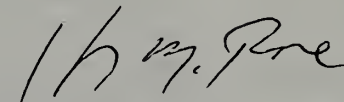
Comment:

1. Over the last ten years, several audits have been conducted at the War Memorial concerning the use of funds and assets by the various organizations that use the War Memorial Veterans Building, including an audit by the Budget Analyst's Office in 1985. These audits have not shown significant financial or management problems at the War Memorial.

2. The Controller's Office completed an audit, dated November 30, 1994, of selected fixed assets of the War Memorial Board of Trustees. This review was limited to a sample of artworks, furniture, furnishings and other items, most of which had allegedly been removed from the Veterans Building. The Controller's audit made several recommendations regarding improvements in the management, cataloging and insurance for murals, archival materials, and other assets. According to Ms. Beth Murray of the War Memorial and Performing Arts Center, these recommendations are now being considered by the War Memorial Board of Trustees.

3. According to Section 3.610 of the San Francisco Charter, the Board of Trustees of the San Francisco War Memorial shall have charge of the construction, administration and operation of the War Memorial and of the grounds. The Charter does not indicate that the War Memorial Board of Trustees should have any responsibility for local programs for veterans. Also, the Trust Agreement does not mention any responsibility for local programs for veterans to be provided by the Board of Trustees or the San Francisco Posts of the American Legion. The Trust Agreement provides that the San Francisco Posts of the American Legion may occupy the Veterans Building, and may provide space to other patriotic organizations at its pleasure.

Memo to Health, Public Safety and Environment Committee
April 11, 1995 Health, Public Safety and Environment Committee Meeting


Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
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Teresa Serata
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HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, APRIL 25, 1995 - 10:00 A.M.

VETERANS BUILDING
COMMITTEE ROOM
4TH FLOOR, ROOM 410
401 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

MEMBERS: Supervisors Angela Alioto, Terrence Hallinan, Susan Leal

CLERK: Joni Blanchard

* * * * *

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REGULAR CALENDAR

1. File 118-94-3. [Hazardous Materials] Ordinance amending Health Code by amending Sections 1110, 1114, 1115, 1161 and 1176 to exempt specified categories of medical practitioners from registration renewal, and to make technical changes (includes increasing fees) concerning inspection forms and certain fees. (Supervisor Alioto)
FISCAL IMPACT

ACTION:

2. File 100-95-4. [Budget, Department of Social Services, 1995-96] Hearing to consider the Department of Social Services fiscal year 1995-96 budget and the potential impact on services. (Supervisors Alioto, Bierman)

ACTION:

3. File 30-95-4. [Mental Health Services] Hearing to consider recommendations of the San Francisco Mental Health Board to improve mental health services in the City and County. (Supervisor Alioto)

ACTION:

4. File 227-95-1. [Internet E-Mail] Hearing to consider the feasibility of obtaining internet e-mail for City Hall offices. (Supervisor Alioto)

ACTION:

HEALTH, PUBLIC SAFETY AND
ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING, ROOM 308
401 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

IMPORTANT HEARING NOTICE!!!

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

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April 21, 1995

APR 26 1995

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TO: Health, Public Safety and Environment Committee

FROM: Budget Analyst

SUBJECT: April 25, 1995 Health, Public Safety and Environment Committee Meeting

Item 1 - File 118-94-3

Department: Department of Public Health (DPH)

Item: Ordinance amending Part II, Chapter 5 (Health Code), Article 21 of the Municipal Code, by amending Sections 1110, 1114, 1115, 1161, and 1176 to exempt specified categories of medical practitioners from registration renewal, and to make technical changes concerning inspection forms and certain fees.

Description: The proposed amendments to Part II, Chapter 5 (Health Code), Article 21 of the Municipal Code are divided into the three following categories: (1) Registration Renewal Requirement Changes, (2) Self-Inspection Form Changes, and (3) Technical Changes to Fee Schedule. These three categories are described as follows:

Registration Renewal Requirement Changes

Currently, Section 2, Part II, Chapter 5 (Health Code), Article 21, Section 1115 of the Municipal Code requires certain businesses that handle hazardous materials to obtain a Certificate of Registration from the Health Department and renew these Certificates of Registration every two years. The proposed ordinance to amend the Health Code would provide that a physician, dentist, podiatrist, veterinarian, or pharmacist, who is required to obtain a Certificate of

Registration solely because he or she operates an establishment that handles oxygen or nitrous oxide or both, would be exempt from filing a renewal application and paying a biennial renewal fee. This exemption would only be valid as long as the total container capacity or combined total container capacity of oxygen or nitrous oxide or both, is less than one thousand cubic feet at standard temperature and pressure. If the capacity of the oxygen or nitrous oxide container is equal to or greater than one thousand cubic feet at standard temperature and pressure, then the business would not qualify for the exemption.

Dr. Larry Meredith, of the Department of Public Health advises that the proposed amendment would not compromise public safety because these medical practitioners are trained in how to safely handle these gases. In addition, Mr. Meredith advises that State law provides that these medical practitioners are not required to renew their Certificates of Registration for handling hazardous gases.

Ms. Sue Cone of the Department of Public Health advises that approval of the proposed ordinance would result in an estimated reduction of \$14,000 annually, or \$28,000 biennially, in revenues generated through the biennial renewal of 70 Certificates of Registration, at \$400 per Certificate.

Self-Inspection Form Changes

Currently, Section 2, Part II, Chapter 5 (Health Code), Article 21, Section 1161 of the Municipal Code requires regulated businesses to conduct quarterly self-inspections of their hazardous materials storage facility to assure compliance with Article 21, and to maintain logs or file reports of these inspections using forms provided by the Director of Health. The proposed amendment to the Municipal Code would allow businesses to maintain logs or file reports of these inspections using either the forms provided by the Director of Health, or on alternate form provided that the alternate forms contain all of the information found on the forms provided by the Director.

Dr. Meredith states that many business have established their own safety inspection forms, and find it easier to integrate new items into their existing format than to adopt DPH's format. Dr. Meredith advises that this proposed amendment would not have any fiscal impact to the City.

Technical Changes to Fee Schedule

Temporary Certificate of Registration: The proposed amendment would reduce the cost of a Temporary Certificate of Registration from \$170.00 to \$85.00. Ms. Cone advises that DPH has determined that the cost for this temporary registration, which is only valid for a three-month period, is excessive. Ms. Cone advises that in the past year, DPH has only processed two Temporary Certificates of Registration. As such, Ms. Cone advises that the proposed reduction would have minimal revenue loss to the City.

Miscellaneous Other Fee Schedules

Currently the Health Code provides that the Fire Department, which conducts inspections of Underground Storage Tanks located in such places as houses, businesses, and gasoline stations, is paid \$36.00 per hour for their inspection services. The proposed amendment to the Health Code would increase the hourly rate from \$36.00 per hour to \$62.50 per hour in order to recover the Fire Department's current costs.

If the proposed fee increase is approved, then (1) the cost of the application fee for Underground Storage Tank (UST) repair, modification, removal or closure approval, and up to three hours of field inspection per site, provided by the Department of Public Health and the Fire Department would increase from \$363.00 to \$442.50 to reflect the increase in the Fire Department's costs, (2) the hourly inspection fee for the Fire Department for hours exceeding the three hours included in the application fee would increase from \$36.00 per hour to \$62.50 per hour, and (3) the Fire Department's hourly rate for inspections for permit issuance or renewals that are not required by the Fire Code, but are required by the State's Health and Safety Code, for example in some businesses, would increase from \$36.00 per hour to \$62.50 per hour.

Ms. Cone advises that DPH currently removes an estimated 35 Underground Service Tanks per month. If each applicant paid an additional \$79.50 (\$442.50-\$363.00) per application fee, then the proposed increase in fees would generate an estimated additional \$33,390 annually (\$79.50 x 35 x 12 mos). Ms. Cone advises that the Fire Department rarely exceeds the three hours provided for in the application fee, so this increase in the Fire Department's hourly rate would have minimal fiscal impact. In addition, Ms. Cone advises the proposed increase in hourly rates for the Fire

Department to conduct inspections for permit issuances or renewals that are required by the State's Health and Safety Code, but are not required by the Fire Code, would have minimal fiscal impact since such inspections are not normally done.

Additional Fees as Penalties

According to Ms. Cone, the policy of DPH is to charge a late fee at a rate equal to 100 percent of the initial fee. Ms. Cone advises that this has served as a successful incentive for businesses to meet deadlines for obtaining UST and Acutely Hazardous Material (AHM) permits. The proposed ordinance would reduce the late fee for failing to obtain a UST permit in a timely manner from \$170.00 to \$85.00. Ms. Cone advises that the UST permit is excessive at its current cost. The proposed fee of \$85.00 would be equal to 100 percent of the cost of the initial fee.

In addition, the proposed ordinance would add the following fee of \$85.00 for the failure to timely register a temporary storage facility. The proposed ordinance would delete the following: ((failure to timely obtain a permit for a freight forwarding and freight transportation service facility)) because, as Ms. Cone advises, permits are not required for a freight forwarding and freight transportation service facility.

The proposed ordinance would be amended to specify the type of permit, costing \$340, as follows: Failure to timely register or obtain an AHM permit, unless otherwise provided in this section.

Comment:

1. In summary, the proposed ordinance would amend the Health Code to (1) exempt certain businesses from renewing Certificates of Registration, resulting in an estimated \$14,000 annual reduction in revenues generated from renewals of Certificates of Registration, (2) allow businesses to use their own forms to document self-inspections of their hazardous waste material storage facilities, and (3) would increase the inspection fees of the Fire Department from \$32.00 per hour to \$62.50 per hour, generating an estimated additional \$33,390 per year in UST application fees, and would decrease various late fees, so that the late fee is not greater than the cost of the initial fee.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Memo to Health, Public Safety and Environment Committee
April 25, 1995 Health, Public Safety and Environment Committee Meeting

Item 2 File 100-95-4

Item: This item is a hearing to consider the Department of Social Services (DSS) projected budget for FY 1995-96 and the potential impact on services.

Description: Attached is memo from Ms. Julie Murray, Budget Manager of the DSS, which briefly highlights aspects of the DSSs projected FY 1995-96 budget and provides a brief discussion of the anticipated impact on departmental services.

Mr. Murray advises that Mr. Brian Cahill, General Manager of DSS plans to attend the Health, Public Safety and Environment Committee meeting on April 25, 1995, and will present a brief overview of DSSs projected 1995-96 budget and discuss the impact of State and Federal welfare reform on the departmental budget.

Upon submission of the Mayor's recommended FY 1995-96 budget to the Board of Supervisors, the Budget Analyst will report his recommendations to the Board's Budget Committee on the DSS budget and all other City and County budgets.

City and County of San Francisco

Department of Social Services


 Brian F. Cahill
 General Manager

 Assistant General Manager:
 Sally Kippel
 Paul Reynolds
 John R. Vera

MEMORANDUM

April 20, 1995

TO: Sandy Brown Richardson

FROM: Julie Murray Brenman *JB*
 Budget Manager

RE: Health, Public Safety and Environment Committee
 DSS Budget Hearing

I have been informed that Supervisor Alioto will be holding a hearing on the Department of Social Services' FY 1995-96 budget proposal at the April 25th Health, Public Safety and Environment Committee meeting. I am forwarding for your review a copy of the report we prepared for the DSS Commission's hearing on our budget in February. There have been some changes to our budget since that time. Specifically, we updated our estimates of our caseloads based on the most recent information available. (The budget we submitted to our Commission in February relied on caseload statistics through December.) The updated statistics allowed us to comfortably reduce our reliance on the general fund without impacting service delivery. The overall budget projection remains virtually the same as the current year, with slightly higher expenditures, increased revenues and \$1.9 million lower general fund:

	<u>FY 1994-95</u>	<u>FY 1995-96</u>
Total Expenditures	\$315.8 million	\$316.2 million
Total Revenues	\$221.3 million	\$223.9 million
Net General Fund	\$94.2 million	\$92.3 million

Despite the reduced reliance on the general fund, our Department's budget proposal has no service reductions. On the contrary, we have plans for certain new or expanded services including:

- The local match for a new Homeless Family Support Center which will leverage a \$1.3 million grant over the next three years
- Rent and moving cost to relocate the employees in 150 Otis, a Seismic III building
- Start-up costs for the creation of a Public Authority for In Home Support Services
- A small salary increase for all In Home Support Services workers
- Enhanced up-front services for family and children's services, including the implementation of a family preservation program
- Contract costs for oversight and case management services for GA recipients in the mandatory direct rent program

While there are no service reductions in our budget, I must point out that our budget is likely to change dramatically in the coming months. Federal and State welfare reform proposals will restrict client eligibility and reduce funding for our essential services for the poor and needy of San Francisco. Most of the reform proposals will hurt our clients -- especially children -- without offering any real opportunities to exit our system. I have attached an analysis of the impact of welfare reform on San Francisco that we sent to the entire Board of Supervisors for your reference.

Brian Cahill, General Manager of DSS, plans to attend the Committee's meeting on Tuesday. He will present a brief overview of our budget proposal and discuss the impact of state and federal welfare reform on our budget and our clients.

Please feel free to contact me at 557-5641 if you have any questions.

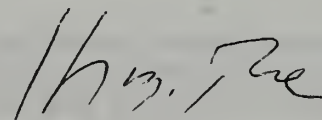
Attachments

Item 4 File 227-95-1

Item: This item is a hearing to consider the feasibility of obtaining internet e-mail for City Hall offices.

Description: Mr. Edward McBride of the Automation Services Division of the San Francisco Public Library reports that the Public Library has a pending resolution, which will request authorization for the Public Library to apply for, accept and expend grant funds from the National Telecommunications Information Administration (NTIA) in the amount of \$600,000 for various data processing related projects. Mr. McBride reports that of the \$600,000, a total of \$50,000 has been designated for a proposed project aimed at bringing the Mayor's Office and the Board of Supervisors on-line with the Public Library's data base system and providing the Mayor's staff and the members of the Board of Supervisors with access to internet - e-mail services. Mr. McBride states that the \$50,000 in grant funds would be used specifically to pay for 18 computer workstations, of which, 11 are proposed to be installed in the Mayor's Office and the remaining 7 are proposed to be installed in the Board of Supervisors' offices. According to Mr. McBride, the proposed NTIA grant funding would commence in October of 1995 and the installation of the proposed workstations could be completed prior to June of 1996.

Mr. McBride advises that he will be in attendance at the Health Public Safety and Environment Committee meeting on April 25, 1995 and will be available for comments and to answer any questions which the Committee members may have on this subject matter.


Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board

Chief Administrative Officer
Controller
Teresa Serata
Robert Oakes
Ted Lakey

BOARD OF SUPERVISORS
BUDGET ANALYST

43
9/95

**HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO**

TUESDAY, MAY 9, 1995 - 10:00 A.M.

VETERANS BUILDING
4TH FLOOR, ROOM 410
401 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

MEMBERS: Supervisors Angela Alioto, Terence Hallinan, Susan Leal

CLERK: Joni Blanchard

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Disability Access



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REGULAR CALENDAR

1. File 30-95-4. [Mental Health Services] Hearing to consider recommendations of the San Francisco Mental Health Board to improve mental health services in the City and County. (Supervisor Alioto)
(Consideration continued from 4/25/95)

ACTION:

2. File 211-95-3. Hearing to consider the surplus Corbett School site and environmental concerns regarding that site. (Supervisor Alioto)

ACTION:

3. File 30-94-21.1 [San Francisco Czar] Resolution urging the Board of Supervisors to review the feasibility of the appointment of a Director "Czar" to Mental Health and Substance Abuse Treatment and Prevention. (Supervisor Alioto)
(Consideration continued from 4/11/95)

ACTION:

4. File 118-95-1. [Enforcement of Smoking Prohibitions] Ordinance amending Part II, Chapter V of the San Francisco Municipal Code (Health Code), by adding Article 19G, consisting of Section 1009.40, to provide for enforcement by the San Francisco Public Health and Police Departments of California Labor Code Section 6404.5 regarding smoking in enclosed places of employment. (Supervisor Alioto)

ACTION:

5. File 207-94-18. [Annual Halloween Celebration in the Castro] Hearing to consider public safety concerns regarding the Annual Halloween Celebration in the Castro. (Supervisor Hallinan)

ACTION:

HEALTH, PUBLIC SAFETY AND
ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING, ROOM 308
401 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

IMPORTANT HEARING NOTICE!!!

Memo to Health, Public Safety and Environment Committee
May 9, 1995 Health Public Safety and Environment Committee Meeting

citations. The training, which is not expected to be ongoing, will be provided by Sergeant Michael Curiel of the SFPD. The cost of each training session, the number of participants which would be involved, and the number of sessions which would be provided have not been determined at this time. According to Mr. Breslin, total costs for materials and supplies associated with the training program is estimated at \$500.

4. In addition, violation of the proposed ordinance would be a misdemeanor. If an action were brought by the District Attorney and if convicted of the misdemeanor, the penalty could be up to \$100 for the first violation, up to \$200 for a second violation within one year, and up to \$600 for each additional violation within a year.

5. Mr. Breslin reports that the City has not had to levy fines under the existing non-smoking ordinance that covers City-owned or leased buildings. Mr. Breslin advises that less than \$1,000 in annual revenue is anticipated to be generated from the penalties included in the proposed ordinance.

Recommendation

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.



for Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
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Item 4 - File 118-95-1

1. The proposed ordinance would amend Part II, Chapter V of the San Francisco Municipal Code (Health Code), by adding Article 19G, consisting of Section 1009.40, to provide for enforcement by the San Francisco Public Health and Police Departments of California Labor Code Section 6404.5 regarding smoking in enclosed places of employment.

2. In November 1993, the Board of Supervisors approved Article 19E, consisting of Sections 1009.5 through 1009.8 of the Health Code, which prohibits smoking in places of employment. The proposed ordinance would give peace officers and designated employees of the Department of Public Health the authority and immunity to make arrests, without warrant, whenever such Police or Public Health Department representatives have reasonable cause to believe that a violation of California Labor Code Section 6404.5 or San Francisco Health Code Article 19E has taken place in their presence.

3. The proposed ordinance also provides that the Director of Public Health and the Chief of Police establish an enforcement training program designed to instruct each employee on proper evidence identification, citation authority, and arrest techniques.

4. Under the proposed ordinance, peace officers and designated Public Health employees may only issue citations to employers and not to patrons, customers, consumers or other guests.

Comments

1. Mr. Jack Breslin of the Department of Public Health (DPH), Environmental Health Services reports that DPH has responsibility for enforcing the existing smoking regulations in buildings owned or leased by the City. Mr. Breslin advises that DPH currently has one half-time Senior Environmental Health Inspector assigned to handling smoking-related complaints in the workplace (public and private). This position is 25 percent funded by Tobacco Tax Funds.

2. The DPH estimates that, based on the current complaint rate for the existing non-smoking ordinance, the proposed ordinance would generate approximately 10 initial complaints and 12 follow-up complaint inspections per month. The DPH reports that each initial complaint may require up to two hours to resolve and each follow-up complaint may take up to 90 minutes to investigate. DPH also states that the proposed ordinance may generate approximately 75 telephone requests for information and guidance a month and each telephone call would take approximately 20 minutes. Thus, approximately 63 hours each month would be required to enforce the proposed ordinance. The DPH therefore advises that it would require .40 FTE Senior Environmental Health Inspector to enforce the proposed ordinance at a total annual cost of \$31,588.

3. The proposed ordinance also provides for an enforcement training program primarily geared towards instruction in proper protocol and procedures for issuing

appointment of a Czar could assist San Francisco in potentially increasing the amount of the grant funds that would otherwise be allocated to San Francisco.

According to the proposed resolution, the Mayor, the Director of Public Health, the Chief Administrative Officer (CAO), the Controller and the Board of Supervisors would determine the selection process for choosing the proposed Czar of Mental Health and Substance Abuse Services programs.

The functions of the Czar would include (a) acting as a drug policy liaison and (b) coordinating and integrating substance abuse and mental health programs, in order to increase Federal, State and local funding of San Francisco mental health and substance abuse programs.

Comments:

1. According to the Office of the Author of the proposed resolution, the Czar would not be a new position, but rather an already existing position, which would undertake the new Czar-related responsibilities in addition to his or her normal duties.
2. The Office of the Author of the proposed legislation reports that an Amendment of the Whole will be submitted to the Health, Public Safety and Environment Committee at its meeting of May 9, 1995 which makes some minor technical changes to the proposed resolution.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.



BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642

May 5, 1995

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TO: Health, Public Safety and Environment Committee

FROM: Budget Analyst *Recommendation*

SUBJECT: May 9, 1995 Health, Public Safety and Environment Committee Meeting

Item 3 - File 30-94-21.1

Note: This item was continued by the Health, Public Safety and Environment Committee at its meeting of April 11, 1995.

Department: Department of Public Health (DPH)
Community Mental Health and Substance Abuse Services

Item: Resolution urging the Board of Supervisors to review the feasibility of the appointment of a Czar to serve as the Director of Mental Health and Substance Abuse Treatment and Prevention programs.

Description: The Federal Violent Crime Control and Law Enforcement Act of 1994 (the Crime Bill) will provide grants to local communities for (a) prevention and treatment programs to reduce substance abuse, child abuse and adolescent pregnancy; (b) education, training, research, prevention, diversion, treatment and rehabilitation programs for juveniles; and (c) education, jobs and substance abuse treatment for the prevention of crime. According to Mr. Larry Meredith of the Department of Public Health (DPH), the amount that San Francisco is eligible to receive from such grant funds is uncertain at this time.

The proposed resolution would urge the Board of Supervisors to review the feasibility of appointing a Czar to serve as the Director of Mental Health and Substance Abuse Services programs. According to the proposed resolution, the

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

REGULAR UPCOMING MEETINGS

FIRST MEETING:

TUESDAY, MAY 23, 1995 - 10:00 A.M.

SECOND MEETING

THURSDAY, JUNE 1, 1995 - 1:00 P.M.

NOTE:

EFFECTIVE 6/1/95, THE HEALTH, PUBLIC SAFETY AND ENVIRONMENT COMMITTEE WILL MEET ON THE 1ST AND 3RD THURSDAY OF EVERY MONTH, AT 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

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REGULAR MEETING
HEALTH, PUBLIC SAFETY AND ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MAY 23, 1995 - 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVENUE, RM. 410

MEMBERS: Supervisors Angela Alioto, Terence Hallinan, Susan Leal

CLERK: Joni Blanchard

REGULAR CALENDAR

1. File 207-94-18. [Annual Halloween Celebration in the Castro] Hearing to consider public safety concerns regarding the Annual Halloween Celebration in the Castro. (Supervisor Hallinan)
(Consideration continued from 5/9/95)

ACTION:

2. File 78-95-2. [Chinese Medicines] Hearing to consider the availability of Chinese medicines and treatment for City employees under the City's health plan. (Supervisors Alioto, Teng)

ACTION:

3. File 100-95-3. [Department of Public Health, 1995-96] Hearing to consider the Department of Public Health's fiscal year 1995-96 budget and the potential impact on services. (Supervisors Alioto, Bierman)
(Consideration continued from 2/28/95)

ACTION:

4. File 100-95-4. [Budget, Department of Social Services, 1995-96] Hearing to consider the Department of Social Services fiscal year 1995-96 budget and the potential impact on services. (Supervisors Alioto, Bierman)
(Consideration continued from 4/25/95)

ACTION:

5. File 197-95-5. [San Francisco Museum] Hearing to consider moving the Museum of the City of San Francisco from its present location at the Cannery to the third and fourth floors of the Veteran's Building after the offices of the Board of Supervisors and the Mayor have returned to City Hall. (Supervisor Alioto, Ammiano)
(Consideration continued from 2/28/95)

ACTION:

**BOARD OF SUPERVISORS****BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

May 19, 1995

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendation of*
SUBJECT: May 23, 1995 Health, Public Safety and Environment Committee Meeting

Item 3 - File 100-95-3

Note: This item was continued from the February 28, 1995 Health, Public Safety and Environment Committee Meeting.

Department: Department of Public Health (DPH)

Item: This item is a hearing to consider the Department of Public Health's FY 1995-96 budget and the potential impact on services.

Description: The total estimated budget for DPH in FY 1995-96 is \$734 million or \$25 million more than the FY 1994-95 budget of \$709 million. The DPH is anticipating net expenditure increases totaling \$37 million over the estimated \$734 million budget for FY 1995-96, which include \$10.3 million in increased labor costs due to the SEIU Union of American Physicians and Dentists (UAPD), Local 21 Municipal Executives Association (MEA) and craft unions arbitration agreement. In addition, according the DPH, the DPH budgeted \$11.4 million in one-time revenue in FY 1994-95, which must be replaced in next fiscal year to maintain the current level of services and associated operating expenses.

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Memo to Health, Public Safety and Environment Committee
February 28, 1995 Health, Public Safety and Environment Committee Meeting

The DPH advises that for FY 1995-96, its ability to enhance revenue has been hampered by changes in the State Legislature and Congress, which are predicted to negatively impact funding for health and welfare programs.

The DPH is proposing to absorb the projected \$37 million in net expenditure increases for FY 1995-96 in the following manner:

Enhanced Revenues and Savings to be realized as a result of the DPH's initiatives in moving towards	
Managed Care	\$22,300,000
Administrative/Operating Efficiencies	14,000,000
Unspecified Service Reductions	<u>900,000</u>
Total	\$37,200,000

Comment:

Upon submission of the Mayor's recommended FY 1995-96 budget to the Board of Supervisors, the Budget Analyst will report his recommendation to the Board's Budget Committee on the DPH budget and all other City and County budgets.

Memo to Health and Public Safety Committee
May 23, 1995 Health and Public Safety Committee Meeting

Item 4 File 100-95-4

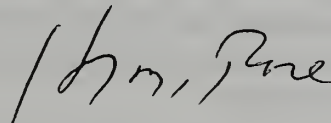
Note: This item was continued from the April 25, 1995 Health, Public Safety and Environment Committee Meeting.

Item: This item is a hearing to consider the Department of Social Services (DSS) projected budget for FY 1995-96 and the potential impact on services.

Description: Attached is memo from Ms. Julie Murray, Budget Manager of the DSS, which briefly highlights aspects of the DSSs projected FY 1995-96 budget and provides a brief discussion of the anticipated impact on departmental services.

Ms. Murray advises that Mr. Brian Cahill, General Manager of DSS plans to attend the Health, Public Safety and Environment Committee meeting on May 23, 1995, and will present a brief overview of DSSs projected 1995-96 budget and discuss the impact of State and Federal welfare reform on the departmental budget.

Comment: Upon submission of the Mayor's recommended FY 1995-96 budget to the Board of Supervisors, the Budget Analyst will report his recommendations to the Board's Budget Committee on the DSS budget and all other City and County budgets.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
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BOARD OF SUPERVISORS
BUDGET ANALYST

City and County of San Francisco

Department of Social Services


 Brian F. Cahill
General Manager

 Assistant General Managers
Sally Koppert
Paul Reynolds
John R. Vera

MEMORANDUM

April 20, 1995

TO: Sandy Brown Richardson

FROM: Julie Murray Brenman *JMB*
Budget Manager

RE: Health, Public Safety and Environment Committee
DSS Budget Hearing

I have been informed that Supervisor Alioto will be holding a hearing on the Department of Social Services' FY 1995-96 budget proposal at the April 25th Health, Public Safety and Environment Committee meeting. I am forwarding for your review a copy of the report we prepared for the DSS Commission's hearing on our budget in February. There have been some changes to our budget since that time. Specifically, we updated our estimates of our caseloads based on the most recent information available. (The budget we submitted to our Commission in February relied on caseload statistics through December.) The updated statistics allowed us to comfortably reduce our reliance on the general fund without impacting service delivery. The overall budget projection remains virtually the same as the current year, with slightly higher expenditures, increased revenues and \$1.9 million lower general fund:

	<u>FY 1994-95</u>	<u>FY 1995-96</u>
Total Expenditures	\$315.8 million	\$316.2 million
Total Revenues	\$221.3 million	\$223.9 million
Net General Fund	\$94.2 million	\$92.3 million

Despite the reduced reliance on the general fund, our Department's budget proposal has no service reductions. On the contrary, we have plans for certain new or expanded services including:

- The local match for a new Homeless Family Support Center which will leverage a \$1.3 million grant over the next three years
- Rent and moving cost to relocate the employees in 150 Otis, a Seismic III building
- Start-up costs for the creation of a Public Authority for In Home Support Services
- A small salary increase for all In Home Support Services workers
- Enhanced up-front services for family and children's services, including the implementation of a family preservation program
- Contract costs for oversight and case management services for GA recipients in the mandatory direct rent program

While there are no service reductions in our budget, I must point out that our budget is likely to change dramatically in the coming months. Federal and State welfare reform proposals will restrict client eligibility and reduce funding for our essential services for the poor and needy of San Francisco. Most of the reform proposals will hurt our clients -- especially children -- without offering any real opportunities to exit our system. I have attached an analysis of the impact of welfare reform on San Francisco that we sent to the entire Board of Supervisors for your reference.

Brian Cahill, General Manager of DSS, plans to attend the Committee's meeting on Tuesday. He will present a brief overview of our budget proposal and discuss the impact of state and federal welfare reform on our budget and our clients.

Please feel free to contact me at 557-5641 if you have any questions.

Attachments

**REGULAR MEETING
HEALTH, PUBLIC SAFETY AND ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO**

THURSDAY, JUNE 1, 1995 - 1:00 P.M.

**VETERANS BUILDING
401 VAN NESS AVENUE, RM. 410**

MEMBERS: Supervisors Angela Alioto, Terence Hallinan, Susan Leal

CLERK: Joni Blanchard

REGULAR CALENDAR

1. File 30-95-10. [Tom Smith Center] Resolution opposing the June 30, 1995 closure of the Tom Smith Center without first providing interim services that meet the needs of the diverse client population served by the Tom Smith Center; and urging his Honor, the Mayor, to urge the Health Commission and the Director of Public Health to transition the clients of the Tom Smith Center into comparable services as quickly as possible. (Supervisor Alioto)

ACTION:

2. File 207-94-19. [Patrol - Special Police Officers] Hearing to consider the consequences of the Police Commission's decision to reduce the powers of Patrol Special Police Officers and its relationship to the San Francisco Administrative Code, Chapter 10B program. (Supervisors Hallinan, Alioto)

ACTION:

3. File 207-94-20. [Special Law Enforcement Services] Hearing to consider the manner in which S.F. Administrative Code, Chapter 108, Special Law enforcement and Public Works services is applied. (Supervisor Hallinan)

ACTION:

4. File 207-95-7. [Critical Mass Cycle Event] Hearing to consider public safety concerns of "Critical Mass" cycle event, specifically, the March 31, 1995 event. (Supervisor Alioto)

ACTION:

HEALTH, PUBLIC SAFETY AND
ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING, ROOM 308
401 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

IMPORTANT HEARING NOTICES!!!

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BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642

May 30, 1995

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendations*
SUBJECT: June 1, 1995 Health, Public Safety and Environment Committee Meeting

Item 1 - File 30-95-10

Item: Resolution opposing the June 30, 1995 closure of the Tom Smith Center without first providing interim services that meet the needs of the diverse client population served by the Tom Smith Center and urging His Honor, The Mayor, to urge the Health Commission and the Director of Public Health to transition the clients of the Tom Smith Center into comparable services as quickly as possible.

Description: The Tom Smith Center is a residential substance abuse treatment program operated directly by the City's Department of Public Health (DPH), using Civil Service personnel, and located at San Francisco General Hospital. The Center has a capacity of 26 clients and provides a 45-day counseling and treatment program. The primary target population for the Tom Smith Center is clients with special needs such as HIV-positive clients, people with AIDS, and clients with a dual or triple diagnosis (substance abuse and/or mental illness and/or other medical problems including HIV or AIDS). The DPH reports that the actual daily census of the program during FY 1994-95 has been 17 clients.

**BOARD OF SUPERVISORS
BUDGET ANALYST**

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According to Dr. Larry Meredith, Director of Community Substance Abuse Services (CSAS) for the Department of Public Health, the Tom Smith Center is failing to meet both the Department's own standards and also State standards for substance abuse treatment programs. The Attachment, provided by Dr. Meredith, summarizes the Department's performance review of the Tom Smith Center detailing these failures. As shown, the Tom Smith Center has not met Department standards for treatment, clinical procedures, patient record-keeping, reporting, and personnel management, among other issues. For these reasons, among others, the DPH is proposing that the Tom Smith Center be closed at the end of the current fiscal year, and that these residential substance abuse treatment services be contracted through a non-profit service provider.

Dr. Meredith reports that treatment at the Tom Smith Center currently costs approximately \$209 per client per day, approximately four times the average cost, which is \$46, of residential substance abuse treatment programs provided by other non-profit organizations under contract to the DPH. However, Dr. Meredith states that the decision to close the Tom Smith Center is not based primarily on its cost, but on its inability to meet Department and State standards.

Finally, Mr. George Staub, Program Analyst for CSAS, notes that the Tom Smith Center's facilities at SFGH do not meet fire, seismic safety or disabled access standards. Mr. Staub reports that despite an extensive search, DPH has been unable to find an alternative site for the Tom Smith Center, and the cost to rehabilitate the current space would be prohibitive.

The DPH is currently developing a Request for Proposal (RFP) for substance abuse treatment services comparable to those provided at the Tom Smith Center. The Department plans to issue the RFP in June, select a service provider by August, and begin treatment services with the new provider by September 1995. Mr. Staub also notes that DPH is committed to replacing the Tom Smith Center with a provider serving a similar population; that is, HIV and AIDS clients, and clients with dual and triple diagnoses.

According to Mr. Staub, the Tom Smith Center has stopped taking new clients as of May 12, 1995, and all of the current clients will finish their 45-day treatment program by the third week in June. For the interim period, from June 30, 1995 to September 15, 1995, the DPH will refer the Tom

Smith Center's waiting list of 12-14 individuals, and other individuals who might have applied to the Center, to the central substance abuse treatment intake process operated by CSAS's Target Cities program. Mr. Staub notes that Target Cities also has a pre-treatment program, in which clients can continue to receive some substance abuse services while they are waiting for placement in a treatment program. In addition, Mr. Staub reports that the AIDS Office of DPH has contracts for over 29 substance abuse treatment programs, many of which are residential, serving similar client populations to those treated by the Tom Smith Center.

Comments:

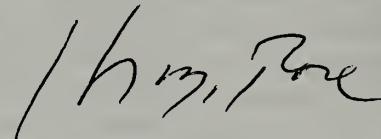
1. In FY 1994-95, the Tom Smith Center projected that it would provide 6,000 units of residential substance abuse treatment. The FY 1994-95 budget of the Tom Smith Center is \$1,008,850, of which \$218,159, or approximately 22 percent, is provided by the City's General Fund, and \$790,691, or approximately 78 percent, is provided by Federal funds under the Ryan White Care Act, which provides funds for treatment of HIV-positive clients and AIDS patients. According to Mr. Jim Stillwell, Program Analyst for the DPH, the Tom Smith Center's budget is entirely provided by the sources listed above, and, in addition, the Center's space is provided rent-free by SFGH and the Center uses psychiatric technicians, supervising physicians, and janitors which are provided for through the CSAS administrative budget. The Tom Smith Center has not created a system for enrolling eligible clients in Medical or for billing other public or private insurance carriers for clients with some form of insurance, according to Mr. Stillwell.

2. According to Mr. Stillwell, the DPH will request approximately \$350,000 in General Fund monies to support the services which had been provided by the Tom Smith Center in its FY 1995-96 budget. The change in this amount from FY 1994-95 represents a shift of funds from other General Fund areas, such as SFGH and the CSAS administrative budget, in order to include directly in the budget for the services provided by the Tom Smith Center funding for expenses such as rent, janitorial services, and access to personnel such as psychiatric technicians, which, as noted above, are not directly included in the FY 1994-95 Tom Smith Center budget. The DPH plans to use these funds to contract with the new service provider, and anticipates that the new service provider will also focus on dual and triple diagnosis clients, and would therefore continue to receive a substantial portion of its budget from

Federal Ryan White Care funds. In addition, the DPH plans to ensure that service providers responding to the Department's RFP for these services are able to take Medi-Cal clients, enroll eligible clients in Medi-Cal, and bill third-party insurance providers for those clients with some form of insurance.

3. According to Mr. Stillwell, the Tom Smith Center had a staff of approximately 15 Civil Service personnel, who are currently meeting with DPH administration to find positions in other programs.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
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Teresa Serata
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CSAS MONITORING REPORT FINDINGS
Tom Smith Center
March 23, 1995

Category 1: Accomplishment of Objectives

Rating: 1

There are no written objectives for the program.

Category 2: Timely completion/Submission of Reports

Rating: 1

The Majority of reports due have not been submitted. The Tom Smith Center has not submitted CSAS or AIDS Office Quarterly Reports on time. When requests were made for reports they were submitted with incorrect data and were not filled out according to the written instructions from the AIDS Office. Even after face to face meetings with the CSAS supervisor who gave accurate and specific instructions for completing the report, two to three weeks were required for the Center to complete the report.

They have not submitted their DATAR Reports except for the month of January, 1995. They have never submitted a CSAS Quarterly Report.

Category 3: Quality of Work Performed

Rating: 1

The quality of work performed at the Tom Smith Center is not in compliance with the Combined Treatment Standards for Alcohol and Drug Programs (See Categories 5,6,7,8 and 9 below). There is no clear line of authority within the agency and each staff member seems to design their own treatment approach and system. The clients have a large number of hours when they are unsupervised and off the unit.

There is no special group for HIV+ clients or for lesbian and gay clients, even though these populations are part of the target group and are well represented in the patient population.

Category 4: Quantity of Work Performed:

Rating: 2

The total number of unduplicated clients seen at the Tom Smith Center from July 1, 1994 to January 31, 1995 is 135 (62 males and 73 females) with 68 HIV+ (43 males and 25 females).

Units of Service for the Tom Smith Center are computed by the following formula:
24 beds x 304 days (10 month contract) x 90% occupancy. This would total 6,566 units of service for July 1, 1994 to April 30, 1995. The units of service delivered as of January 31, 1995 was 3,594 which is 78% of the projected units of service for this date.

Category 6: Program Policies and ProceduresRating: 1

There is no Policy and Procedure Manual. The majority of policies and procedures required by the Combined Standards for Alcohol and Drug Programs do not exist. For example, there is not a written policy for Admissions or a Grievance Procedure, no Organizational Chart, no Participants Rights procedure and no policy for confidentiality of HIV Status.

Category 7: Personnel and Professional Standards and PracticesRating: 1

There are no job descriptions for the Director, Physicians' Assistant or for most of the other positions employed by the Tom Smith Center. There is no Personnel Manual. Personnel files are without any order; merely a folder filled with loose papers in no particular order. Personnel files did not include the following:

- Applications or Resumes
- Start dates or Employment Confirmations
- Job Descriptions (except on some blank and unfilled out Performance Reports)
- Salary Adjustments
- Health Records
- Documented Training
- Code of Conduct
- Evidence of Current Licenses (except for two employees)
- Personnel Actions
- Attendance Records
- Evidence of CPR or First Aid Training

There were no current performance evaluations in any file. Many had not been done since 1985, 1988 or 1992 as the most recent.

The key to the file cabinets which held the Personnel Files was not available on the unit. The Director has the only key and keeps it with her at all times. The reviewer had to make arrangement to get the key since the Director is ill and on an indefinite medical leave. There are no procedures established for access to and confidentiality of the personnel records.

Category 8: Fiscal PracticesRating: Not Rated

All fiscal matters are handled through CSAS

Category 9: Program Environment/AccessibilityRating: 2

The Tom Smith Center is licensed as an Adult Alcohol and Drug Residential Facility by the State Department of Alcohol and Drug Programs. The license expires 3/31/96. The facility is provided to the agency by San Francisco General Hospital.

In the past the clients and staff had the responsibility of keeping the facility clean. A full time janitor was hired under the Haight Ashbury Free Clinics contract on January 13, 1995 and a weekend janitor was hired on February 28, 1995. However, on the day of the site visit the janitor was ill and garbage was stacked in the halls because no staff had emptied it nor asked for one of the clients to assist in removing it. The staff was aware that a monitoring site visit was scheduled for that day, but made no effort to have the facility looking good.

The facility is shabby and dirty and in need of paint. Counselors offices are cluttered and in disarray. The clients are in wards: one 18-bed ward for men and two 4-bed wards for women. The mattresses are dirty and stained. Most beds did not have mattress covers. Three mattresses were piled on one of the unused beds in the men's ward.

The facility is not wheelchair accessible.

The program does not meet any of the Combined Treatment Standards for Alcohol and Drug Program, but most of this is out of the control of the program.

Category 10: Program Evaluation/Quality Assurance Procedures.Rating: 1

The program does not have any written policies or procedures for quality assurance. A quality assurance checklist for client charts is in each clients file but this form is filled out after the client leaves treatment.

The Client charts are incomplete with only three of the 21 open cases having a treatment plan, and these three treatment plans were incomplete and incorrectly filled out. Program services are not documented in case files. There is neither a policy nor a procedure for utilization review. There was no documentation that a supervisor ever reviewed a client chart.

Budget Analyst's note: The numerical ratings used above are on a scale of 1 to 4 where;

- 1 = unacceptable
- 2 = improvement needed
- 3 = acceptable
- 4 = commendable

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

THURSDAY, JUNE 15, 1995 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

* * * * *

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1. File 121-94-13. Ordinance amending Police Code to add Sections 557.1 & 557.2 to Art. 8, to prohibit sale, possession and transport of a replica or facsimile of a hand grenade. (Supervisor Hsieh)

ACTION:

2. File 207-95-8. Resolution urging the Mayor to urge the Police Commission to rescind the decision that revokes Peace Officer status and declare that S.F. Patrol Special Police Officers are Peace Officers pursuant to Penal Code Sec. 830.1 and declare that Assistant Patrol Special Police Officers are Peace Officers pursuant to Penal Code Sec. 830.6 and declare that Assistant Patrol Police Officers shall be appointed by the Chief of Police and declare that S.F. Police Officers and S.F. Assistant Patrol Special Police Officers shall be accountable for their conduct to the S.F. Police Department and the Office of Citizen Complaints. (Supervisors Hallinan, Bierman)

ACTION:

3. File 207-94-19. Hearing to consider consequences of the Police Commission's decision to reduce the powers of Patrol Special Police Officers and its relationship to the S.F. Administrative Code, Chapter 10B program. (Supervisors Hallinan, Alioto) (Cont'd from 6/1/95)

ACTION:

4. File 207-94-20. Hearing to consider manner in which Administrative Code, Chapter 10B, Special Law enforcement and Public Works services is applied. (Supervisor Hallinan) (Cont'd from 6/1/95)

ACTION:

5. File 205-93-1. Hearing to consider management & oversight of funds generated from War Memorial Center for Veterans programs and how to maximize local programs for veterans. (Supervisor Alioto) (Cont'd from 4/11/95)

ACTION:

6. File 234-95-1. Hearing to consider a portion of the Golden Gate Park Master Plan, specifically 1) proposed closure of Sunset Blvd. entrance into Golden Gate Park, and 2) proposed elimination of auto traffic's ability to turn left from Martin Luther King, Jr. Drive onto Crossover Drive. (Supervisor Alioto)

ACTION:

7. File 39-95-3. [Grand Jury] Hearing to consider the Civil Grand Jury Report on Jails. (Supervisor Leal)

ACTION:

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
SAN FRANCISCO BOARD OF SUPERVISORS
VETERANS BUILDING, ROOM 308
401 VAN NESS AVENUE
SAN FRANCISCO, CALIFORNIA 94102

IMPORTANT HEARING NOTICE!!!

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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

* SPECIAL MEETING

THURSDAY, JUNE 15, 1995 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

* * * * *

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REGULAR CALENDAR

1. File 100-95-3.1. [Retain Public Health Nurses Classification 2830] Resolution urging the Mayor to urge the Health Department to not eliminate Public Health Nurses, Civil Service Class 2830 in the proposed 1995-96 budget and refrain from any attempts to merge the classification of registered nurses into public health nurses. (Supervisor Hallinan)

ACTION:

Health, Public Safety and Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 410
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!

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BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

June 13, 1995

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JUN 15 1995

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TO: Health, Public Safety and Environment Committee

FROM: Budget Analyst *Recommendation of...*

SUBJECT: June 15, 1995 Health, Public Safety and Environment Committee Meeting

Item 5 - File 205-93-1

Note: This item was continued from the Health, Public Safety and Environment Committee hearing of April 11, 1995.

Item: Hearing to consider the management and oversight of funds generated from the War Memorial for veterans programs and how to maximize local programs for veterans.

Description: In 1918, a group of San Francisco citizens became interested in constructing a Symphony Hall, Opera House and Art Museum. An option was purchased for the lot bounded by Hayes, Franklin, Grove and Van Ness (the current site of Davies Symphony Hall). In 1920, members of the newly-formed American Legion suggested that the project be designated as San Francisco's War Memorial. This idea was accepted and a public City-wide fund drive for this effort raised over \$2 million. The Regents of the University of California were designated as Trustees for these funds, signed a formal Trust Agreement with the initial group of citizens, and were designated as Trustees of the War Memorial. In 1930, the City agreed to take over the Regents' responsibilities under the Trust.

When the Trust Agreement was established, it was thought that three buildings would be constructed using the \$2 million in donated funds. The Trust Agreement named two organizations — the San Francisco Art Association (now the Museum of Modern Art) and the San Francisco Posts of the

American Legion to occupy two of the buildings and to be beneficiaries of the Trust. Preferential right for use of the third building, a theater or auditorium, was given to the Musical Association of San Francisco (now the San Francisco Symphony).

The San Francisco Posts of the American Legion established an American Legion War Memorial Commission (ALWMC), which now consists of one representative from each Post, to carry out the provisions of the Trust Agreement for the Posts. According to the City Attorney, the ALWMC is a standing committee of the American Legion, which is a private organization. The City has no control or authority over the American Legion or the ALWMC.

At this time the Museum of Modern Art occupies only basement storage space in the Veterans Building. However, the Museum still retains its rights as a beneficiary of the Trust Agreement, and has informed the War Memorial Board that it may wish to use some part of the space in the building at a future date.

The responsibilities of the San Francisco Posts of the American Legion and the Museum of Modern Art, according to the Trust Agreement, include: (1) to perform all interior upkeep and repair (Section 9(d)); and, (2) to pay for all heat, light, gas, electricity, water, steam or other public utility used on their premises, and for all janitor and elevator service (Section 9(l)). The ALWMC does not currently pay these costs, even though the Trust Agreement specifically states that such costs are the obligation of the ALWMC. Also, the War Memorial supports maintenance and upkeep services for the entire Veterans Building, such as engineers' and gardener's salaries. Both the San Francisco Posts of the American Legion and the Museum of Modern Art are exempt from rent payments to the City (Section 9(a)).

Pursuant to a 1977 agreement between the War Memorial Board of Trustees and ALWMC, the War Memorial and Performing Arts Center provides an annual payment to the ALWMC to cover the costs of the ALWMC's administration, currently at \$20,000 per year. In exchange, the ALWMC has granted the War Memorial Board of Trustees the exclusive right to manage, control and derive revenue from the Veterans Auditorium (now the Herbst Theater) and the Green Room. This agreement also provides for an annual payment of \$6,000 to the ALWMC from the Museum of Modern Art in exchange for basement storage space in the

Veterans Building, which space was relinquished by the ALWMC to the Museum.

The ALWMC is empowered, according to the Trust Agreement, to provide headquarters for "Veterans of the Mexican War, Grand Army of the Republic, Spanish-American War Veterans, and such other patriotic organizations as said San Francisco Posts of the American Legion may from time to time desire to install." In other words, the ALWMC may grant space in the Veterans Building to veterans organizations other than San Francisco American Legion Posts. Approximately one-half of the first floor of the Veterans Building is allocated to veterans organizations for office space, including Disabled American Veterans, Veterans of Foreign Wars, Swords to Ploughshares, and Jewish War Veterans. The second floor of the Veterans Building, other than the Green Room, is devoted to meeting rooms for veterans and veterans organizations.

It is currently the responsibility of the ALWMC to allocate space for veterans organizations in the Veterans Building and to schedule meetings in the second floor meeting rooms. The \$26,000 in total annual funds received by the ALWMC, from the War Memorial Performing Arts Center and the Museum of Modern Art, supports a part-time office manager and operating expenses (such as telephone, postage, copy service, and bank fees) to execute these scheduling and space allocation responsibilities.

Comment:

1. Over the last ten years, several audits have been conducted at the War Memorial concerning the use of funds and assets by the various organizations that use the War Memorial Veterans Building, including an audit by the Budget Analyst's Office in 1985. These audits have not shown significant financial or management problems at the War Memorial.

2. The Controller's Office completed an audit, dated November 30, 1994, of selected fixed assets of the War Memorial Board of Trustees. This review was limited to a sample of artworks, furniture, furnishings and other items, most of which had allegedly been removed from the Veterans Building. The Controller's audit made several recommendations regarding improvements in the management, cataloging and insurance for murals, archival materials, and other assets. According to Ms. Beth Murray of the War Memorial and Performing Arts Center, the Controller's recommendations are being considered by the

War Memorial Board of Trustees, and the staff of the War Memorial are also consulting with the Art Commission and the Chief Administrative Officer's Risk Manager regarding the Controller's recommendations.

3. According to Section 3.610 of the San Francisco Charter, the Board of Trustees of the San Francisco War Memorial shall have charge of the construction, administration and operation of the War Memorial and of the grounds. The Charter does not indicate that the War Memorial Board of Trustees should have any responsibility for local programs for veterans. Also, the Trust Agreement does not mention any responsibility for local programs for veterans to be provided by the Board of Trustees or the San Francisco Posts of the American Legion. The Trust Agreement provides that the San Francisco Posts of the American Legion may occupy the Veterans Building, and may provide space to other patriotic organizations at its pleasure.

Item 7 - File 39-95-3

Item: Hearing to consider the Civil Grand Jury Report on Jails.

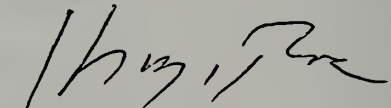
Description: This item is a hearing to consider transmitting the final Report on Jails of the 1994-95 Civil Grand Jury of the City and County of San Francisco. The report would be transmitted from the Board of Supervisors to the Presiding Judge of the Superior Court.

The 1994-95 Civil Grand Jury reviewed the conditions at San Bruno Jail #3. The San Francisco Civil Grand Jury is mandated by the State of California to report annually on the County's jails. The Grand Jury found the conditions at San Bruno Jail #3 to be in need of immediate attention. The Grand Jury report contains 66 specific recommendations.

- Comments:**
1. The Civil Grand Jury report did not include cost estimates or savings related to the implementation of its recommendations.
 2. In November of 1992 Proposition B and in November of 1994 Proposition A were placed on the ballot as General Obligation bond measures to build a new jail facility on the San Bruno site. Both measures failed to win the necessary voter approval.
 3. Attached to the Grand Jury report entitled Report on Jails is a Report Of Condition from the Department of Building Inspection (DBI) and a Local Detention Facility Health Inspection Report from the Department of Public Health (DPH). Both of these reports were conducted at the request of the Grand Jury.
 4. In a letter attached to the Grand Jury Report on the Jails, the City Attorney states that because San Bruno Jail #3 is not located in San Francisco, the City's Building and Health Codes do not apply to the jail. Thus, according to the City Attorney, DPH and DBI lack the authority to require compliance with City Codes at San Bruno Jail #3.
 5. The Presiding Judge of the Superior Court impanels the Civil Grand Jury. State law requires the Board of Supervisors to submit comments on the Civil Grand Jury's reports to the Presiding Judge. Therefore, a resolution to transmit the Civil Grand Jury report and the comments of the Board of Supervisors to the Presiding Judge of the Superior Court should be prepared in and reported out of the Health, Public Safety and Environment Committee.

6. The Clerk of the Board requested that the heads of the agencies mentioned in the Grand Jury report entitled Report on Jails submit written reports to the Board of Supervisors on each of the recommendations found in the Grand Jury's report by June 8, 1995. These agencies include the Sheriff's Department and the Department of Public Health. As of the writing of this report, the Department of Public Health has not submitted its written report to the Board of Supervisors.

Recommendation: Contingent on the receipt of all needed reports, prepare in and report out a resolution for the Board of Supervisors to transmit the Civil Grand Jury Report and the Board of Supervisors comments to the Presiding Judge of the Superior Court.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Robert Oakes
Ted Lakey

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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, JULY 6, 1995 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

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REGULAR CALENDAR

1. File 121-94-13. [Ban Facsimile Hand Grenades] Ordinance amending Police Code by adding Sections 557.1 & 557.2 to Article 8, to prohibit the sale, possession and transport of a replica or facsimile of a hand grenade. (Supervisor Hsieh)
(Consideration continued from 6/15/95)

(Chair may entertain a motion to continue this item to the Call of the Chair.)

ACTION:

2. File 30-94-22.1. [Video Display Terminals] Resolution endorsing the Video Display Terminal Worker Safety Ordinance Advisory Committee 1994 Annual Report; urging Mayor to ensure that adequate funding be provided to city departments to comply with all provisions of the VDT ordinance; urging Mayor to direct city administrators and department heads to attend VDT education and training programs; urging Mayor to direct city departments to establish joint employee/management VDT compliance committees; urging Mayor to direct any city department with an existing health and safety committee to include a minimum of two seats for VDT users. (Supervisor Alioto)

ACTION:

3. File 172-95-18. [Agreement, Health Service System – DPH] Ordinance amending Health Code to add Article 27, encompassing Section 1700, to authorize an agreement between the Health Service System and the Department of Public Health, making the department a preferred provider of medical services under the City administered health plan and imposing certain obligations on City officials. (Supervisor Alioto)

ACTION:

4. File 193-95-2. [Golden Gate Park Master Plan] Resolution urging the Mayor to urge the Recreation and Park Commission to reject the recommended closure of the Sunset Boulevard entrance to Golden Gate Park, and the prohibition of left turns eastbound from Crossover Drive onto Martin Luther King, Jr. Drive as outlined in the Circulation Plan, Objective III, of the Golden Gate Park Master Plan Proposal. (Supervisor Alioto, Shelley)

ACTION:

Health, Public Safety, & Environment Committee
S.F. Board of Supervisors
City & County of San Francisco
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

June 30, 1995

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TO: Health, Public Safety and Environment Committee

FROM: Budget Analyst *Recommendation of...*

SUBJECT: July 6, 1995 Health, Public Safety and Environment Committee Meeting

Item 2 - File 30-94-22.1

Note: This item was continued from the Health, Public Safety and Environment Committee meeting on April 25, 1995.

Item: Resolution endorsing the Video Display Terminal Worker Safety Ordinance Advisory Committee 1994 Annual Report and urging the Mayor to (1) ensure adequate funding for City departments to comply with the VDT ordinance, (2) direct City department heads to attend VDT education and training, (3) direct City departments to establish VDT ordinance compliance committees, and (4) direct City departments with health and safety committees to include at least two VDT users.

Description: In December of 1990, the Board of Supervisors approved the VDT Worker Safety Ordinance requiring employers to comply with specified safety requirements for employees using VDTs. In 1992, the San Francisco Superior Court ruled that the ordinance did not apply to private employers located in San Francisco. The VDT ordinance now pertains only to the City and County of San Francisco as an employer. Studies by the National Institute for Occupational Safety and Health have found that prolonged use of VDTs, commonly used as computer display screens, can cause shoulder, neck and wrist pain as well as problems with vision.

The VDT Worker Safety Ordinance requires the creation of a seven-member VDT Worker Safety Ordinance Advisory Committee to (1) keep the Board of Supervisors updated on VDT regulations and health and safety information and, (2) review and make recommendations on the implementation, and if appropriate, revision, of the previously approved VDT Ordinance.

The VDT Worker Safety Ordinance Advisory Committee, a seven-member committee, meets monthly and is composed of (a) two representatives from business, one of whom is nominated by the San Francisco Chamber of Commerce and one of whom is nominated by the Small Business Advisory Commission, (b) two representatives from labor, both nominated by the San Francisco Central Labor Council, and (c) three representatives from VDT scientific research fields, including one nominated by the San Francisco Chamber of Commerce, one nominated by the San Francisco Central Labor Council, and one nominated by the Mayor. The members of the VDT Advisory Committee serve staggered terms of four years each and all nominations are subject to appointment by the Board of Supervisors.

In the 1994 VDT Advisory Committee Annual Report, the VDT Advisory Committee recommended that:

- (1) the Board of Supervisors support the continuation of the VDT Ordinance and the VDT Advisory Committee,
- (2) the Board urge the Mayor to ensure that City departments have adequate funding for compliance with the VDT Ordinance,
- (3) the Board urge the Mayor to publicize the VDT Ordinance and direct department heads to attend a VDT education program,
- (4) the Board encourage the establishment of departmental VDT committees,
- (5) the VDT Ordinance be amended to impose financial or disciplinary penalties on departments and department heads that fail to comply with the VDT Ordinance,
- (6) the VDT Ordinance be amended to require training for all VDT users, including casual users of one to four hours a day,

- (7) the VDT Ordinance be amended to require the provision of worker-adjustable workstations for those workers diagnosed with certain VDT-related disorders,
- (8) the Chamber of Commerce replace the Small Business Committee in the nomination of a representative (thereby giving the Chamber a total of 3 representatives, and
- (9) the DPH evaluate the implementation and effectiveness of the VDT Ordinance.

Comment:

Mr. Richard Lee of the DPH estimates that the additional costs to the City of implementing the recommendations, which are contained in the VDT Safety Ordinance Advisory Committee's 1994 Annual Report, with the exception of Recommendation No. 7, would be minimal because implementation would involve existing staff. Recommendation No. 7 states "the VDT Ordinance be amended to require the provision of worker-adjustable workstations for those workers reporting or diagnosed with certain VDT-related disorders." Mr. Lee states that since the number of employees with VDT-related disorders is not known, he is unable to determine the costs of implementing Recommendation No. 7 at this time.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Item 3 - File 172-95-18

Note: This item was transferred from the Government Efficiency and Labor Committee.

Department: Department of Public Health (DPH)

Item: Ordinance amending Health Code by adding Article 27, encompassing Section 1700, to authorize an agreement between the Health Service System of the Human Resources Department and the Department of Public Health, making the DPH a preferred provider of medical services under the City-administered health plan and imposing certain obligations on City officials.

Description: The proposed ordinance would amend the Administrative Code to authorize an agreement between the City's Health Service System (HSS) and the City's Department of Public Health (DPH), making the DPH a preferred provider of medical services under the City Health Plan, which is administered by HSS.

The members of the City's Health Service System are employees, retirees, and surviving spouses of employees and retirees of the City and County of San Francisco, the San Francisco Unified School District and the Community College District. HSS members may choose from among five different health plans for their medical services, including the City Health Plan, Kaiser Foundation Health Plan, Aetna Health Plans of Northern California, Health Net, FHP/TakeCare, and PacifiCare Secure Horizons (for retirees with Medicare coverage).

Most of the health plans offered to HSS members are health maintenance organizations (HMOs), where: (a) a fixed rate is paid per member per month, (b) all health services are provided by the HMO, and, (c) patient choice is limited to those practitioners or facilities owned or designated by the HMO. The City Health Plan is a fee-for-service health plan, where fees are paid according to the health services provided, and patients may choose any practitioner or health facility, subject to review by the City Health Plan for some services.

The City Health Plan currently uses "preferred provider" practitioners and facilities with whom the City Health Plan has negotiated an agreed rate for specified services. These preferred providers are private practitioners in hospitals and medical practices all over the City and in other counties

as well. In order to encourage members to use these preferred providers, the City Health Plan offers low copayments and other financial incentives to members who choose these providers.

Under the proposed agreement, all DPH facilities and medical practitioners, such as those at San Francisco General Hospital and the City's five District Health Centers, would be included on the list of preferred providers which City Health Plan members can choose for their medical services. The agreement between HSS and DPH would not affect City Health Plan members' ability to choose providers who are not on a preferred provider list.

The agreement between DPH and HSS would be effective upon approval by the Board of Supervisors, and would continue in effect through April 30, 1996. During this first period, either DPH or HSS could terminate the agreement without cause. After April 30, 1996, the agreement will continue indefinitely, and could be terminated by either party for any of a series of reasons listed in the Agreement, such as failure to pay amounts due or failure to render services required. The Agreement provides that DPH and HSS may amend the Agreement through mutual approval, and that the parties will Meet and Confer to resolve any problems or disputes arising under the Agreement.

Comments:

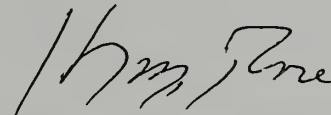
1. According to Ms. Sharon Kennison of DPH, the Agreement which would be authorized under the proposed ordinance has been negotiated so that City employees have the option of using DPH health facilities under the same advantageous conditions as any other private preferred provider. Ms. Kennison notes that DPH may benefit through increased use of DPH health facilities by City Health Plan members, who would be more likely to choose DPH health facilities if DPH was designated as a preferred provider of medical services under the City Health Plan. However, Ms. Kennison reports that DPH does not anticipate that this Agreement will constitute a significant revenue source for DPH, and has not estimated how many City Health Plan members might choose DPH facilities.

2. According to Ms. Kennison, the rates to be paid by the City Health Plan for services at DPH under the Agreement are similar to those rates negotiated with private preferred providers.

3. The agreement between DPH and HSS would not change the rate contributed by the City for coverage of HSS

members under the City Health Plan. That rate is established in accordance with Charter Sections 8.423 and 8.428, which set the contribution rate based on a survey of the ten most populous counties in California. The rate paid by the City is currently \$175.09 per month or \$2,101.08 annually, for each member in FY 1995-96. The agreement also would not change the amount contributed by HSS members for coverage under the City Health Plan. That amount is calculated annually by the Health Service System actuary, and varies according to: (1) whether or not a member is an active employee, retired employee, or surviving spouse, (2) whether or not a member has Medicare coverage, and, (3) the cost of the plan. The rate paid by HSS members for the City Health Plan is \$10.83 per month or \$129.96 annually for a single employee member in FY 1995-96.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Robert Oakes
Ted Lakey

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, JULY 20, 1995 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

* * * * *

Disability Access



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REGULAR CALENDAR

1. File 150-95-3. [Disaster Relief Funds – Recreation & Park Department] Resolution authorizing the General Manager and other designated officials of the Recreation and Park Department to execute and file, on behalf of the City and County of San Francisco, an application for Federal and State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the 1995 Late Winter Storms. (Recreation and Park Department)

ACTION:

2. File 78-95-2. [Chinese Medicines] Hearing to consider the availability of Chinese medicines and treatment for City employees under the City's health plan. (Supervisors Alioto, Teng)
(Consideration continued from 5/23/95)

ACTION:

3. File 121-95-4. [Amending Juvenile Curfew Ordinance] Ordinance amending the San Francisco Municipal Code, Part II, Chapter 8 (Police Code) by amending Section 539 thereto to change the hours of juvenile curfew, the applicable age and exceptions, and the enforcement procedure, and to create a central facility for the detention of curfew violators, establish procedures to be followed by the staff of the central facility, and create an oversight committee. (Mayor)

ACTION:

Health, Public Safety, & Environment Committee
S.F. Board of Supervisors
City & County of San Francisco
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

July 17, 1995

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JUL 20 1995

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TO: Health, Public Safety and Environment Committee

FROM: Budget Analyst *Recommendation*

SUBJECT: July 20, 1995 Health, Public Safety and Environment Committee Meeting

Item 1 - File 150-95-3

Department: Recreation and Park Department (RPD)

Item: Resolution authorizing the General Manager and other designated officials of the Recreation and Park Department to execute and file, on behalf of the City and County of San Francisco, an application for Federal and State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act for funds as a result of the 1995 late winter storms.

Description: The proposed legislation states that on March 24, 1995, the Presidential Declaration of Assistance for the 1995 Late Winter Storms was amended to include the City and County of San Francisco. As such, according to the legislation, the City is now eligible for reimbursement from the Federal Emergency Management Agency (FEMA) and the State for emergency and permanent repair work of damaged property and facilities, in connection with the 1995 winter storms.

The proposed resolution would authorize the General Manager of the RPD and other designated RPD officials to execute and file an application with FEMA for the available Federal and State reimbursement funds for the 1995 winter storm-related emergency and permanent repair work.

Memo to Health, Public Safety and Environment
July 20, 1995 Health, Public Safety and Environment Committee Meeting

Comments:

1. Attached is a list of the restoration and hazard mitigation projects for which the RPD will seek reimbursement from FEMA and the State.

2. As indicated in the Attachment, the RPD estimates that the cost of the restoration and hazard mitigation projects for the RPD could reach approximately \$2,000,000 for the Marina Yacht Harbor seawall, \$14,000,000 for the Conservatory of Flowers, and \$4,000,000 for tree damage, debris cleanup, and restoration at a variety of locations, for a total estimated cost of \$20,000,000. According to Ms. Elaine Molinari of RPD, FEMA could potentially reimburse the City for up to 75 percent of the cost of these repair projects and the State could potentially reimburse the City for up to an additional 18.75 percent of these projects for total reimbursements of 93.75 percent or \$18,750,000 of the estimated restoration costs of approximately \$20,000,000. According to Ms Molinari, the source of funds for the balance of approximately \$1,250,000 or 6.25 percent, has not, as yet, been identified.

Recommendation: Approve the proposed resolution.

City and County of San Francisco

Recreation and Park Department



MEMORANDUM

TO: Jason Moody

FROM: Elaine Molinari

RE: Disaster Relief

DATE: July 13, 1995

In response to your request for budget impact information regarding the disaster relief application, there are no Damage Site Reports (DSR) completed since the site inspection team from the Office of Emergency Services has not yet visited the damage sites. Our staff estimates that claims for tree damage, debris cleanup, and restoration could reach \$4 million; damage to the Marina Yacht Harbor seawall could reach \$2 million; damage to the Conservatory of Flowers could reach \$2 million; hazard mitigation for the Conservatory of Flowers could reach \$12 million. These are only "best guesses" for the time being.

The sites impacted by storm damage include:

Alamo Square	limbs down, trees damaged
Alta Plaza	young trees destroyed
Argonne Playground	fence down, replaced
Balboa Park	limbs down, trees down, debris removed
Buchanan Mall	limbs & brush removed
Buena Vista Park	trees down, limbs down, debris removed
Cabrillo Playground	fence down, replaced
Candlestick Park	limbs down, debris removed
Cayuga	limbs down, debris removed
Christopher Playground	fence down, limbs down, debris removed
Conservatory of Flowers	west wing section collapse, glass panes popped out from wind gusts
Crags Court	limbs down, debris removed
Crocker Amazon	young trees blown over, trees down, debris removed
Dolores Park	trees down, limbs down, debris removed
Douglass Park	trees down, limbs down, debris removed
Duboce Park	limbs down, debris removed
Eureka Valley Playground	limbs down, debris removed

Glen Park	trees down, limbs down, debris removed
GG Heights Playground	tree down, fence destroyed, replaced
Golden Gate Park	trees down, limbs down, debris removed, destroyed curbing removed and replaced
Haas Park	trees down, limbs down, debris removed
Harding Golf Course	trees down, debris removed
Holly Park	young trees blown over, trees down, limbs down, debris removed
Huntington Park	limbs down, debris removed
Justin Herman Plaza	limbs down, debris removed
Lafayette Park	young trees blown over, limbs down, debris removed
Larsen Park	young trees damaged, limbs down, debris removed
Lincoln Golf Course	trees down, debris removed
Marina Yacht Harbor	seawall caved in, slate tiles damaged, walkway undermined and cracked, jetty erosion, cobblestones eroded
McCoppin Square	limbs down, young trees blown over
McLaren Park	trees down, limbs down, debris removed
Moscone Playground	trees down, limbs down, debris removed
Mt. Davidson	trees down, limbs down, trees removed
Mt. Lake Park	trees down, limbs down, debris removed
Noe Courts	limbs down, debris removed
Ocean View Playground	limbs down, debris removed
Palace of Fine Arts	trees down, limbs down, debris removed
Parkside Square	trees down, limbs down, debris removed
Potrero Del Sol	trees down, debris removed
Richmond Playground	fence down, replaced
Richmond Rec Center	fence down, replaced
Rochambeau Playground	fence down, replaced
Rolph Nicol Park	limbs down, debris removed
Rossi Playground	limbs down, debris removed
Sharp Park Golf Course	trees down, debris removed
South Sunset Playground	limbs down, debris removed
Stern Grove	trees down, debris removed, limbs down
Sunnyside Playground	limbs down, trees down, debris removed
Upper Noe Rec Center	fence down, replaced
West Sunset Playground	limbs down, debris removed
Zoo	roadway washed away, animal exhibit flooded, crushed granite floor eroded, ground eroded, trees down on polar bear exhibit, numerous trees down, vegetation washed out

Item 3 - File 121-95-4

Department: Mayor's Criminal Justice Council (MCJC)

Item: Ordinance amending the Municipal Code, Part II, Chapter 8 (Police Code) by amending Section 539 to change the hours of juvenile curfew, the applicable age and exceptions, and the enforcement procedure, and to create a central facility for the detention of curfew violators, establish procedures to be followed by the staff of the central facility, and create an Oversight Committee.

Description: The proposed ordinance would amend the Police Code by amending Chapter 8, Section 539 to (1) change the applicable age of the juvenile curfew, (2) change the hours of the juvenile curfew, (3) change the exceptions to the juvenile curfew, (4) change the enforcement procedure, (5) create a central facility for the detention of curfew violators, (6) establish procedures to be followed by the staff in the central facility, and (7) create an Oversight Committee.

In 1951, the Board of Supervisors established the juvenile curfew for youth under the age of 18 by adding Section 539 to the Police Code. In 1990, the Board of Supervisors amended Section 539 of the Police Code in order to reduce the age restrictions of the juvenile curfew from minors who are under the age of 18 years to minors who are under the age of 14 years, and to add exceptions to the juvenile curfew (See below). The purpose for implementing the juvenile curfew, as stated in Section 539 of the Police Code, is that minors under the age of 14 possess a particular vulnerability to crime and harmful influence under certain circumstances, or when not supervised or accompanied by a parent or legal guardian at night. A description of each of the six proposed amendments to Section 539 of the Police Code is described below.

Applicable Age of the Juvenile Curfew

Currently, the juvenile curfew applies to minors under the age of 14 years. The proposed ordinance would be amended to provide that the juvenile curfew applies to minors under the age of 18 years.

Mr. Flynn Bradley of the Mayor's Criminal Justice Council (MCJC) advises that the majority of the youth who are committing crimes, or are victimized by crimes, during the

hours of the curfew, are between the ages of 14 and 17 years. Mr. Bradley states that applying the curfew to these older youth is designed to curb such crime.

Hours of the Juvenile Curfew

Currently, it is unlawful for juveniles to be in or on any public street, public park, or any other public place between the hours of 12:00 midnight and 5:00 a.m., seven days per week. The proposed ordinance would amend the effective hours of the juvenile curfew to start the curfew one hour earlier (11:00 p.m.) on weeknights (Sunday through Thursday nights).

Exceptions to the Juvenile Curfew

Currently, there are six exceptions to the juvenile curfew. An exception is defined as something which is considered a valid reason for a minor to be excused from the regulations of the juvenile curfew. These exceptions currently apply to minors, under the age of 14, who (1) are accompanied by a parent or guardian, or are with a minor who is accompanied by his or her parent or guardian, (2) have legitimate employment during the curfew hours, which is connected to the minor being in or on any public street, public park, or any other public place during the curfew hours, (3) are able to demonstrate through any means, including written documentation, that he or she has express parental permission excusing himself or herself from the juvenile curfew, (4) are emancipated minors, either married, on active duty with the armed forces, or in possession of a declaration of emancipation, (5) are on an emergency mission to obtain medical, police, fire, or other assistance, or (6) are participating in a religious or political activity.

The proposed ordinance would amend exceptions (3) and (6), and add number (7) as follows:

- The exception No. (3) listed above, which provides an exception from the juvenile curfew for minors who possess express parental permission would be deleted and replaced with the following exception: (3) When the minor is on an errand at the direction of the minor's parent or guardian, without detour or stop;
- The exception No. (6) listed above, would be amended as follows: When the minor is participating in a religious, educational, or political activity.

- An exception No. (7) would be added as follows: When the minor is returning directly home, without detour or stop, from a school, cultural, sports, amusement, entertainment, or recreation activity, or any organized demonstration, meeting or similar activity.

Enforcement Procedure

Currently, Section 539, Subdivision (d) of the Police Code, entitled "Procedure", states that when a minor is cited, booked, detained, or arrested for a violation of this ordinance, the arresting officer or other authorized personnel will (1) immediately make every effort to notify the minor's parent or legal guardian pursuant to the procedures established by the Police Department; (2) release the minor to his or her parent or legal guardian if the parent or legal guardian appears at the place where the minor is being detained; or (3) transport the minor to a receiving facility pursuant to Police Department procedures, if the arresting officer, or other authorized personnel is unable to notify a parent. The receiving facility currently used by the Police Department is a youth shelter, located at 1292 Page Street. However according to Lt. Tom Bruton of the Police Department, the juvenile curfew is currently not actively enforced (See Comment No. 2), so the current procedures are rarely implemented.

The proposed ordinance would delete Section 539, Subdivision (d) of the Police Code, entitled "Procedure", and replace Subdivision (d) with a new Subdivision (d) entitled "Implementation Procedure." The proposed new procedure provides that before taking any action pursuant to this ordinance, a police officer shall ask the apparent offender's age and reason for being in the public place. If the police officer determines that the minor is in violation of this ordinance and no exception under this ordinance applies to the minor, the officer will immediately transfer the minor to a central facility which would be specifically established to complement this ordinance. The Central Facility would be a City-owned facility, located at 1600 Geary Boulevard. The purpose of the Central Facility is to (1) detain curfew violators while the parent/guardian is contacted and until the minor is released to the parent/guardian, and (2) provide counseling services to the youth, parents or legal guardians. The Central Facility is discussed further in the section below.

The existing ordinance provides that the minor's parent or legal guardian will receive a notice to appear at the Youth Guidance Center, in order to participate in a counseling

session with a Juvenile Probation Officer. Lt. Tom Bruton of the Police Department advises that, under the proposed ordinance, all parents or legal guardians would receive a counseling session at the Central Facility when they arrive to pick-up their child. Whereas under the current ordinance parental failure to appear for the counseling session would be a misdemeanor, Lt. Tom Bruton of the Police Department advises that there would be no criminal penalties as a result of the proposed ordinance.

Central Facility

The proposed ordinance would establish a Central Facility. This Central Facility would be located at the Hamilton Recreation Facility, located at 1900 Geary Boulevard at the corner of Geary Boulevard and Steiner Street. The Hamilton Recreation Facility is a City-owned facility, operated by the Recreation and Park Department. The Central Facility would not be staffed by Recreation and Park Department staff. According to Ms. Katherine Feinstein, the Director of MCJC, MCJC anticipates staffing the Central Facility with private, non-profit contractors, and potentially with on-call counselors from the Juvenile Probation Department. Ms. Feinstein advises that the use of the Hamilton Recreational Facility for the juvenile curfew Central Facility, during the hours of 11:00 p.m. and 5:00 a.m., would not disrupt the normal activities of the Hamilton Recreational Facility.

The proposed Central Facility, including non-profit contractors, would be funded through the MCJC FY 1995-96 budget (See Comment No. 1). The purpose of the Central Facility is to (1) detain curfew violators while the parent/guardian is contacted and until the minor is released to the parent/guardian, and (2) provide counseling services to the youth, parents or legal guardians. The Central Facility staff would provide a processing system that will include the completion of an intake form and determination and verification of the name, address and telephone number of the minor.

The Central Facility staff would provide the following services: (1) assist in processing and making telephone calls to parents, (2) provide a mandatory counseling session with the parent/guardian and minor when the minor is picked up, (3) supervise the facility and activities, (4) make appropriate referrals for the minor and parent/guardian, and (5) immediately notify Child Protective Services if, at any time, it appears to staff that a return to the parent/guardian would be detrimental to the minor's well-

being. Also, if the Central Facility staff is unable to contact the parent/guardian, or if the parent/guardian fails to pick up the minor, the staff would transport the minor to Child Protective Services no later than 5:00 a.m.

Oversight Committee

The proposed ordinance would establish an Oversight Committee. The Oversight Committee would be established in order to (1) regularly review the entire curfew program and (2) provide advice to the Mayor's Office and the Board of Supervisors regarding issues relating to this ordinance. In order to review the curfew program, the Oversight Committee would have access to the raw data collected by the Central Facility, including the age, ethnicity, and location of contact for all minors detained for curfew violations.

The Oversight Committee would be composed of five members, each of whom shall serve one-year terms. Two members shall be selected by the Mayor, two members by the Board of Supervisors, and one member by the Human Rights Commission. The proposed ordinance states that the Oversight Committee shall cease to exist one year from the effective date of this ordinance, unless continued by resolution of the Board of Supervisors.

The proposed ordinance also provides that within six months after the initial enforcement of this ordinance, the Mayor shall make a report to the Board of Supervisors concerning the effectiveness and the continuing need for this ordinance. The report is to include statistics describing the detained minors, problems associated with curfew enforcement, and the actual cost of enforcing the curfew.

Summary

In summary, the proposed ordinance would

- raise the curfew age from under 14 years to under 18 years;
- start the curfew one hour earlier (11:00 p.m.) on weeknights (Sunday through Thursday);
- provide new exceptions for educational activities and returning home from various types of organized group activities;
- change enforcement procedures to require Police Officers to transport curfew violators to a newly created Central

Facility, where they would be detained until the parent/guardian is contacted, or (at 5:00 a.m.) the youth would be transferred to the custody of Child Protective Services;

- establish an Oversight Committee which would regularly review the curfew program, and provide advice to the Mayor's Office and the Board of Supervisors regarding issues related to the curfew program.

Comments:

1. Ms. Feinstein advises that funding for the Central Facility's staff, supplies and equipment would be provided by MCJC. Ms. Feinstein advises that in order to implement the Central Facility, MCJC has allocated an amount of \$161,872 in MCJC's FY 1995-96 budget. At this time, Ms. Feinstein advises that MCJC has not yet selected contractors to provide the staffing for the Facility. Ms. Feinstein advises that the operation of the Central Facility is to be done on a trial basis. As noted above, the proposed ordinance, states that within six months after the initial enforcement of the ordinance, the Mayor shall make a report to the Board of Supervisors concerning the effectiveness, the cost, and the continuing need for the proposed ordinance.

2. Lt. Bruton anticipates that the proposed ordinance will have minimal fiscal impact on the Police Department. Lt. Bruton advises that the role of the Police Department will be to 1) pick-up, and transport youth to the Central Facility, and to 2) intervene in the event there are problems occurring at the Central Facility. According to Lt. Bruton, the enforcement of the juvenile curfew for 14 to 17 year old youth may initially result in additional work for the Police Department, however, Lt. Bruton advises that ultimately the juvenile curfew should result in less work for the Police Department, if the juvenile crime rate declines. In either case, Lt. Bruton advises that the enforcement of the juvenile curfew is not anticipated to result in increased staffing needs for the Police Department.

Lt. Bruton advises that it is difficult to estimate the number of youth that the Police Department will bring to the Central Facility because the existing juvenile curfew is not enforced. According To Lt. Bruton, the juvenile curfew is not actively enforced because there are very few youth under the age of 14 who are in violation of the juvenile curfew ordinance. Lt. Bruton advises that the majority of youth who will be in violation of the juvenile curfew will be between the ages of 14 and 17 years.

3. The proposed ordinance states that all City departments involved in 1) providing services under this ordinance, and 2) ensuring that minors and parents comply with their responsibilities under the proposed ordinance and under state law, will confer and adopt written implementation guidelines. Mr. Bradley advises that these guidelines would be presented during the Mayor's six-month report to the Board of Supervisors.

4. Lt. Bruton advises that in 1989, the year before the juvenile curfew ordinance was amended to reduce the applicable age of the juvenile curfew from under 18 years to under 14 years, the Police Department referred 284 minors to the Juvenile Probation Department, as a result of status violations. Lt. Bruton advises that the Police Department records do not differentiate between the different types of status violations, so it is unlikely that all 284 of the referrals were for violations of the juvenile curfew. Lt. Bruton advises that in 1993, when the curfew applied only to youth under the age of 14, the Police Department only referred seven minors to the Juvenile Probation Department for status violations.

5. Mr. Scott Emblidge of the City Attorney's Office states that the City amended the juvenile curfew ordinance in 1990 in part to strengthen the ordinance against legal challenges. In the opinion of the City Attorney, the changes proposed in this ordinance would not render the ordinance vulnerable to legal challenge.

Recommendations: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.


Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board

Controller
Teresa Serata
Robert Oakes
Ted Lakey
Chief Administrative Officer

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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.

JUL 31 1995

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REGULAR MEETING

THURSDAY, AUGUST 3, 1995 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

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REGULAR CALENDAR

1. File 205-93-1. [Funds Generated from War Memorial for Veterans Prog.] Hearing to consider the management and oversight of funds generated from the War Memorial Center for Veterans programs and how to maximize local programs for veterans. (Supervisor Alioto)
(Consideration continued from 6/15/95)

ACTION:

2. File 207-95-11. [Protest March Procedures of Police/Sheriff] Hearing to consider and examine procedures employed by the Police and the Sheriff's Departments during and after the June 26, 1995 protest march in the Mission District. (Supervisors Alioto, Bierman, Ammiano)

ACTION:

Health, Public Safety, & Environment Committee
S.F. Board of Supervisors
City & County of San Francisco
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

90.43
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13/95
CITY AND COUNTY



Attn: Kate Wingerson
OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

August 1, 1995

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AUG 2 1995

TO: Health, Public Safety and Environment Committee

SAN FRANCISCO
PUBLIC LIBRARY

FROM: Budget Analyst *Recommendations...*

SUBJECT: August 3, 1995 Health, Public Safety and Environment Committee Meeting

Item 1 - File 205-93-1

Note: This item was continued from the Health, Public Safety and Environment Committee hearing of June 15, 1995.

Item: Hearing to consider the management and oversight of funds generated from the War Memorial for veterans programs and how to maximize local programs for veterans.

Description: In 1918, a group of San Francisco citizens became interested in constructing a Symphony Hall, Opera House and Art Museum. An option was purchased for the lot bounded by Hayes, Franklin, Grove and Van Ness (the current site of Davies Symphony Hall). In 1920, members of the newly-formed American Legion suggested that the project be designated as San Francisco's War Memorial. This idea was accepted and a public City-wide fund drive for this effort raised over \$2 million. The Regents of the University of California were designated as Trustees for these funds, signed a formal Trust Agreement with the initial group of citizens, and were designated as Trustees of the War Memorial. In 1930, the City agreed to take over the Regents' responsibilities under the Trust.

When the Trust Agreement was established, it was thought that three buildings would be constructed using the \$2 million in donated funds. The Trust Agreement named two organizations — the San Francisco Art Association (now the

Museum of Modern Art) and the San Francisco Posts of the American Legion to occupy two of the buildings and to be beneficiaries of the Trust. Preferential right for use of the third building, a theater or auditorium, was given to the Musical Association of San Francisco (now the San Francisco Symphony).

The San Francisco Posts of the American Legion established an American Legion War Memorial Commission (ALWMC), which now consists of one representative from each Post, to carry out the provisions of the Trust Agreement for the Posts. According to the City Attorney, the ALWMC is a standing committee of the American Legion, which is a private organization. The City has no control or authority over the American Legion or the ALWMC.

At this time the Museum of Modern Art occupies only basement storage space in the Veterans Building. However, the Museum still retains its rights as a beneficiary of the Trust Agreement, and has informed the War Memorial Board that it may wish to use some part of the space in the building at a future date.

The responsibilities of the San Francisco Posts of the American Legion and the Museum of Modern Art, according to the Trust Agreement, include: (1) to perform all interior upkeep and repair (Section 9(d)); and, (2) to pay for all heat, light, gas, electricity, water, steam or other public utility used on their premises, and for all janitor and elevator service (Section 9(l)). The ALWMC does not currently pay these costs, even though the Trust Agreement specifically states that such costs are the obligation of the ALWMC. Also, the War Memorial supports maintenance and upkeep services for the entire Veterans Building, such as engineers' and gardener's salaries. Both the San Francisco Posts of the American Legion and the Museum of Modern Art are exempt from rent payments to the City (Section 9(a)).

Pursuant to a 1977 agreement between the War Memorial Board of Trustees and ALWMC, the War Memorial and Performing Arts Center provides an annual payment to the ALWMC to cover the costs of the ALWMC's administration, currently at \$20,000 per year. In exchange, the ALWMC has granted the War Memorial Board of Trustees the exclusive right to manage, control and derive revenue from the Veterans Auditorium (now the Herbst Theater) and the Green Room. This agreement also provides for an annual payment of \$6,000 to the ALWMC from the Museum of Modern Art in exchange for basement storage space in the

Veterans Building, which space was relinquished by the ALWMC to the Museum.

The ALWMC is empowered, according to the Trust Agreement, to provide headquarters for "Veterans of the Mexican War, Grand Army of the Republic, Spanish-American War Veterans, and such other patriotic organizations as said San Francisco Posts of the American Legion may from time to time desire to install." In other words, the ALWMC may grant space in the Veterans Building to veterans organizations other than San Francisco American Legion Posts. Approximately one-half of the first floor of the Veterans Building is allocated to veterans organizations for office space, including Disabled American Veterans, Veterans of Foreign Wars, Swords to Ploughshares, and Jewish War Veterans. The second floor of the Veterans Building, other than the Green Room, is devoted to meeting rooms for veterans and veterans organizations.

It is currently the responsibility of the ALWMC to allocate space for veterans organizations in the Veterans Building and to schedule meetings in the second floor meeting rooms. The \$26,000 in total annual funds received by the ALWMC, from the War Memorial Performing Arts Center and the Museum of Modern Art, supports a part-time office manager and operating expenses (such as telephone, postage, copy service, and bank fees) to execute these scheduling and space allocation responsibilities.

Comment:

1. Over the last ten years, several audits have been conducted at the War Memorial concerning the use of funds and assets by the various organizations that use the War Memorial Veterans Building, including an audit by the Budget Analyst's Office in 1985. These audits have not shown significant financial or management problems at the War Memorial.

2. The Controller's Office completed an audit, dated November 30, 1994, of selected fixed assets of the War Memorial Board of Trustees. This review was limited to a sample of artworks, furniture, furnishings and other items, most of which had allegedly been removed from the Veterans Building. The Controller's audit made several recommendations regarding improvements in the management, cataloging and insurance for murals, archival materials, and other assets. According to Ms. Beth Murray of the War Memorial and Performing Arts Center, the Controller's recommendations are being considered by the

War Memorial Board of Trustees, and the staff of the War Memorial are also consulting with the Art Commission and the Chief Administrative Officer's Risk Manager regarding the Controller's recommendations.

3. According to Section 3.610 of the San Francisco Charter, the Board of Trustees of the San Francisco War Memorial shall have charge of the construction, administration and operation of the War Memorial and of the grounds. The Charter does not indicate that the War Memorial Board of Trustees should have any responsibility for local programs for veterans. Also, the Trust Agreement does not mention any responsibility for local programs for veterans to be provided by the Board of Trustees or the San Francisco Posts of the American Legion. The Trust Agreement provides that the San Francisco Posts of the American Legion may occupy the Veterans Building, and may provide space to other patriotic organizations at its pleasure.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Robert Oakes
Ted Lakey

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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, AUGUST 17, 1995 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

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Disability Access



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REGULAR CALENDAR

1. File 207-95-11. [Protest March Procedures of Police/Sheriff] Hearing to consider and examine procedures employed by the Police and the Sheriff's Departments during and after the June 26, 1995 protest march in the Mission District. (Supervisors Alioto, Bierman, Ammiano)
(Consideration continued from August 3, 1995)

ACTION:

2. File 207-95-11.1. [Expunging Arrest Records] Resolution urging the Mayor to urge the Police Commission and Police Department, and additionally urging the District Attorney, to take all steps necessary to expunge, or to further the expungement of, the arrest and other related records arising from the arrest by the San Francisco Police Department of approximately 279 protestors on June 26, 1995. (Supervisor Alioto)

ACTION:

3. File 13-95-22. [Presidio Trust Legislation] Hearing to consider the Presidio Trust Bill, HR1296 and S594. (Supervisor Alioto)

ACTION:

Health, Public Safety, & Environment Committee
S.F. Board of Supervisors
City & County of San Francisco
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

FN: Jennifer Schuck

#557-4449

CALENDAR

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HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

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* SPECIAL MEETING

WEDNESDAY, AUGUST 23, 1995 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

* * * * *

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REGULAR CALENDAR

1. **File 30-95-14.** [Health Care] Hearing to consider the status of health care restructuring in San Francisco, and its impact on patient services and health care workers. (Supervisor Alioto)

Health, Public Safety, & Environment Committee
S.F. Board of Supervisors
City & County of San Francisco
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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7/95

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, SEPTEMBER 7, 1995 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

* * * * *

Disability Access



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REGULAR CALENDAR

1. File 39-95-5. [Grand Jury Report - Planned Emergency Radio System] Hearing to consider report issued by the 1994-95 Civil Grand Jury entitled "Recommendations of the 1994-95 Civil Grand Jury for Improvements in Sole Source Approval Process and the Planned Emergency Radio System" and the findings concerning violations of Charter Section 7.100. (Supervisor Alioto)

ACTION:

2. File 172-95-5. [Competitive Bidding] Resolution urging the Mayor to urge Department Heads to competitively bid contracts for materials, supplies, equipment and services as required by Charter Section 7.200 and Administrative Code Section 21.6. (Supervisor Alioto)

ACTION:

3. File 128-95-1. [Toxic Cleanup] Hearing to consider toxic cleanup at 820 Bryant Street. (Supervisor Alioto)

ACTION:

4. File 12-95-49. [Moratorium on All Health Care Restructuring] Resolution supporting a moratorium on all health care restructuring, including corporate restructuring, clinical restructuring, and technological restructuring; asking San Francisco's representatives in the State Legislature to support such a moratorium; and urging members of the health care community to take all steps necessary to support and implement such a moratorium. (Supervisor Alioto)

ACTION:

5. File 12-95-46. [Medicare and Medicaid] Resolution urging the Board of Supervisors to oppose the privatization of existing public health programs, to oppose the conversion of Medicaid to a block grant program, and to send letters to state and federal officials supporting their position and to encourage San Francisco to do likewise. (Supervisor Bierman)

ACTION:

6. File 7-95-5. [Bus Line 71 - Noriega] Hearing to consider the proposed plan to change the 71-Noriega bus line from diesel to electric buses. (Supervisors Alioto, Shelley)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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CITY AND COUNTY



Attn: Kate Wingerson
OF SAN FRANCISCO

11
BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

September 5, 1995

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SEP 06 1995

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TO: Health, Public Safety and Environment Committee

FROM: Budget Analyst *Recommendations of...*

SUBJECT: September 7, 1995 Health, Public Safety and Environment Committee Meeting

Item 1 - File 39-95-5

Item: Hearing to consider the report issued by the 1994-95 Civil Grand Jury entitled "Recommendations of the 1994-95 Civil Grand Jury for Improvements in the Sole Source Approval Process and the Planned Emergency Radio System" and the findings concerning violations of Charter Section 7.100.

Description: This item is a hearing to consider transmitting the above-mentioned final report of the 1994-95 Civil Grand Jury of the City and County of San Francisco. The report would be transmitted from the Board of Supervisors to the Presiding Judge of the Superior Court.

The 1994-95 Civil Grand Jury investigated the decision by the City of San Francisco to award a sole source contract to Motorola, Inc. to supply and install a new radio system to provide emergency and non-emergency radio communications between and within various City departments. The Civil Grand Jury considered whether the system was properly designed to meet the City's needs in the most appropriate manner, and whether the procedures by which sole source approval was obtained need modification.

In November of 1993, the citizens of San Francisco approved a \$50 million lease financing measure (Proposition H) to finance the lease/purchase of a City-wide radio communications system and related equipment, design costs and bond administration costs. The goal of this system would be to convert and replace the City-wide radio communications systems to an 800 MHz simulcast trunking radio system. The proposed new system would enable City Departments and other public agencies in San Francisco to communicate more efficiently and reliably by radio to carry out public safety and other public service functions.

The DET initially planned to enter into a sole source contract with Motorola Communications and Electronics, Inc. (Motorola) for provision of the 800 MHz Citywide Radio Communication System, in order to achieve compatibility with the City's existing system, avoid disruption to the City's radio operations during the transition period, and protect the City's existing investment in Motorola equipment. However, the sole source contract was successfully challenged in Federal Court, and the DET will now conduct a competitive bid for provision of the system.

The Grand Jury's recommendations are summarized as follows:

Citywide System Need and Design

- The building of such an important and complex system should be based on carefully researched needs, independently evaluated.
- The Department of Electricity and Telecommunications (DET) should develop a complete inventory of the radio equipment owned by the City.

Radio System Decision Making Process

- Participation in the citywide radio system should not be voluntary. The Board of Supervisors, the Mayor and the CAO should require the participation of all City departments using or needing radio communications, including Muni.
- The only consideration governing a purchase of a radio system of this size and importance ought to be what is best for the City in the long-term. Any short-term gains in protecting the City's investment in the current system would be obviated if the best choice is not made.

BOARD OF SUPERVISORS
BUDGET ANALYST

- A project manager should have been hired in the beginning phases to provide continuity and expertise. This position should be filled immediately. See Comment No. 2.
- The RFP for technical consultation should have been issued prior to the development of any type of contract with any vendor. In contracts of this magnitude, technical consultation must be obtained prior to contract development for the purchase of goods, design of system or major construction projects. This should be a policy developed and enforced by the CAO and the Purchasing Department. See Comment No. 3.

Radio System Equipment Specifications

- The City should purchase digital equipment. The report states that the Civil Grand Jury has "found no one outside of the DET who advocates a major purchase of analog equipment." The recommendation further states that, "We can find no justification for DET's statements that the digital systems are three times as costly."

New Radio System and New 911 System

- When the contract for the new radio system is awarded, priority should be given to the purchase of dispatch consoles so as not to cause delay of the 911 Project.
- The reassignment of responsibility for 911 from the Police Department to the Mayor's Office of Emergency Services is important and not much is known about the ramifications. The Mayor's Office should convene a panel of independent experts to address the issues, establish protocols and quell the fears of the people operating the system and dependent on it.

Sole Source Approval Process

- The Administrative Code should be amended to explicitly specify the criteria for sole source approvals. For example, the City should consider formally adopting the American Bar Association's Model Procurement Code for State and Local Governments.
- Any new sole source regulations should contain a public notice provision containing a statement of intention to sole source any contract above a minimum value (e.g. \$25,000) and the reasons. Any person, including potential bidders, will then have the opportunity to protest the intent to sole source the contract.

BOARD OF SUPERVISORS
BUDGET ANALYST

Human Rights Commission Role in Approving
Sole Source Contracts

- Given the lack of clarity in the Human Rights Commission's (HRC) legal authority to require set asides or other preconditions to granting a sole source waiver, the MBE/WBE Ordinance should be amended to specify those situations, if any, in which the HRC can impose a precondition for granting a sole source approval and the types and degree of MBE/WBE participation that can be required.
- Departments should be clearly advised that the HRC does not have the authority to initiate sole source approvals or mandate that a department sole source a contract, and no department which has obtained a sole source approval from the HRC should expressly or implicitly advise any third party that sole sourcing has been mandated by the HRC.

Civil Service

- The Civil Service Commission should adopt procedures which prevent a representative of any vendor doing business with the City from having any input concerning personnel matters in any departments with which that vendor does business. See Comment No. 4.

Comments:

1. The Civil Grand Jury report did not include cost estimates or savings related to the implementation of its recommendations.
2. Since the Grand Jury report was issued, the DET has hired Dr. Walter Gee to be the project manager.
3. Since the Grand Jury report was issued, the DET has selected the firm of Fluor Daniel Inc. to prepare the competitive bid specifications for the 800 MHz radio system and other 911 project related functions.
4. Mr. Albert C. Walker, Executive Director of the Civil Service Commission, states in a written response to the Grand Jury report that responsibility for administrative procedures related to selection of members for interview boards is the responsibility of the Human Resource Department (HRD) Director. This recommendation was therefore referred to the HRD Director, whose response is in the file.

5. The Presiding Judge of the Superior Court impanels the Civil Grand Jury. State law requires the Board of Supervisors to submit comments on the Civil Grand Jury's reports to the Presiding Judge. Therefore, a resolution to transmit the Civil Grand Jury report and the comments of the Board of Supervisors to the Presiding Judge of the Superior Court should be prepared in and reported out of the Health, Public Safety and the Environment Committee.

6. The Clerk of the Board requested that the heads of the agencies mentioned in the Grand Jury report submit written responses to the Board of Supervisors on each of the recommendations pertaining to their agency. These agencies include the Chief Administrative Officer, the Department of Electricity and Telecommunications, the Purchaser, the Fire Department, the Police Department, the Department of Human Resources, the Civil Service Commission, the Human Rights Commission, the Mayor's Office of Emergency Services, and the City Attorney. These responses are in the file.

Recommendation: Prepare in and report out a resolution for the Board of Supervisors to transmit the Civil Grand Jury Report and the Board of Supervisors comments to the Presiding Judge of the Superior Court.

Item 5 - File 12-95-46

Item: Resolution urging the Board of Supervisors to (a) oppose the privatization of existing public health programs, (b) oppose the conversion of Medicaid to a Block Grant Program, and (c) send letters to State and Federal Officials supporting the positions of the Board of Supervisors and to encourage the residents of San Francisco to also do likewise.

Description: Legislative proposals are now pending before the U. S. Congress, that could, according to a report released by the White House Office of Media Affairs (dated July 28, 1995), restructure and cut on a nationwide basis more than a total of \$450 billion from the Medicare program (\$270 billion) and the Medicaid program (\$182 billion) over a seven year period, from 1996 through 2002. The White House Office of Media Affairs report also states that, overall, the State of California could lose an estimated \$36 billion in Medicare funds and an estimated \$18 billion in Medicaid funding over the seven year period or a total of \$54 billion. The Medicare program is a health insurance program for senior citizens and certain disabled persons. The Medicaid program (known as Medi-Cal in California), provides basic health insurance for persons with long term care needs, low-income families, certain disabled persons and blind persons.

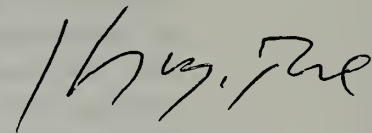
According to the proposed legislation, a report entitled "A County by County Analysis of Medicaid and Medicare Cutback Proposals" (dated August, 1995), prepared by the Health Access Foundation, a non-profit coalition in San Francisco, states that San Francisco could lose approximately \$915 million in Medicare funds and approximately \$436 in Medicaid funds from 1996 through 2002, as a result of the pending Federal legislation. This report estimates, conservatively, that the State of California could also lose a total of at least \$44 billion in Medicare (\$27.5 billion) and Medicaid (\$16.5 billion) funds over the same time period.

Attached is a memo prepared by Ms. Tangerine Brigham of the Department of Public Health (DPH), which discusses (1) the proposed reductions in Medicare and Medicaid funding, and the impact such reductions would have on California, (2) issues regarding the restructuring of these program funds into categorical block grant funding and (3) issues associated with the privatization of existing public health programs.

Memo to Health, Public Safety and Environment Committee
September 7, 1995 Health, Public Safety and Environment Committee Meeting

Comment: On June 20, 1995, the Health Commission adopted a resolution (1) opposing reductions in the Medicare and Medicaid programs and (2) opposing the conversion of Medicaid funding into block grants.

Recommendations: Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Robert Oakes
Ted Lakey

City and County of San Francisco

Department of Public Health



MEMORANDUM

TO: Sandy Brown-Richardson
Budget Analyst Office
FROM: Tangerine Brigham JB
RE: Medicare and Medicaid Resolution -- File No. 12-95-46
DATE: September 1, 1995

Pursuant to your request, below is a brief synopsis of the federal budget debate over Medicare and Medicaid and the impacts for California. I have enclosed a copy of a recent Health Commission resolution on this issue for your reference. In addition, I have responded to the privatization issues raised in the resolution.

FEDERAL BUDGET ISSUES

- Both the House and the Senate have proposed significant reductions in Medicaid and Medicare for fiscal year 1996-97 (October 1, 1996 to September 30, 1997). Detailed reduction proposals have not been developed. Congress reconvenes on September 5, 1995 to develop the final appropriations bills -- welfare reform, Medicare and Medicaid cuts and tax cuts will be debated at that time.
- Prior to the recess, the Senate budget proposal included a \$256 billion reduction in Medicare spending and a \$175 billion reduction in Medicaid spending over a seven year period. In addition, another \$28 billion reduction in discretionary health programs was proposed. Combined, these health cuts amounted to 48% of the \$961 billion in total reductions proposed by the Senate. The House budget proposal reduced Medicare by \$283 billion, Medicaid by \$184 billion and discretionary health spending by \$86.7 billion over a seven year period.
- Estimates are that California could lose \$18 billion in federal ^(Medicaid) funds for health care under the proposals. At this stage, it is difficult to determine the exact dollar impact of the proposals on the City and County of San Francisco since neither the Senate nor the House have offered detail on the funding formulas. However, no matter what the final structure looks like, California will not have adequate funds to maintain its current level of services. As this problem grows, we will have a very limited choices: reduce eligibility, increase taxes, reduce/eliminate program benefits, reduce/eliminate other State programs. As such, the increased burden for providing uncompensated medical care will fall to the counties.
- Inherent in each of the key budget proposals is the transition to either comprehensive or categorical (consolidated) block grant funding. This transition may include allocation reductions affecting many public health programs. Block granting serves two primary goals --

to reduce the deficit by decreasing federal support for programs and to move away from entitlement programs.

- Under block granting, states could: (1) design benefits packages, eligibility standards, priorities and/or reimbursement rates to fit funding available or to meet more localized priorities, (2) provide services under modified federal rules, regulations and waivers, (3) eliminate related categorical programs, (4) have more control over the design of an indigent care health system.
- The two proposals to reduce growth in Medicaid are: (1) capped per persons payments and (2) block grants based on projected numbers of persons in program -- growth would be tied to the Consumer Price Index. The budget assumes that Medicaid growth would be reduced from an average of 10% - 11% per year to 5% per year.
- California Facts:
 - California spends the least amount per Medi-Cal beneficiary than almost any other state.
 - California spends \$601 per Medi-Cal child, approximately 40% less than the national average of \$955.
 - California spends \$4,929 per Medi-Cal elder, approximately 45% less than the national average of \$8,704
 - Although California has 15.5% of the nation's AFDC and SSI caseload, it is estimated that our State would suffer a loss of \$18.2 billion, or 26.3% of the \$69.3 billion cut over the next five years (over 1.1 million California children would be denied AFDC benefits).

PRIVATIZATION ISSUES

- This resolution comments on the "privatization of existing public health programs." The real issue has to do with protection of the safety net system which provides health care for the indigent, the incarcerated, the uninsured, underinsured, working poor and Medi-Cal/Medicare recipients. The safety net system is comprised of county providers, community-based providers and private non-profit providers. For example, the Department contracts with community-based private, non-profit service providers to deliver readily accessible services to our clients. In addition, the Department enters into contractual arrangements with private entities to assist the Department in operating our facilities and programs. The Department utilizes both of these resources to ensure the delivery of cost-effective services. Changes in the health care industry should recognize the unique contributions of the safety net system and maintain these providers as valuable components to any health care delivery system.
- The resolution references "the use of for-profit HMOs as the basis of health care reform." Currently, the Department of Public Health has a contract with PacificCare of California, a for-profit HMO, to provide health care services to Medi-Cal beneficiaries who enroll in their health plan. Execution of this contract was approved by the Board of Supervisors in December 1994. The Department entered into this contract to gain experience managing lives under a capitated financial system. This HMO offered technical support as the Department

developed necessary infrastructure to compete in the new Medi-Cal managed care reimbursement structure.

- In the health care industry, managed care is seen as one vehicle by which payors can reduce inappropriate utilization of emergency services, improve access to primary care, enhance the quality of services and reduce the escalating costs of health care. The federal government, the State of California and various other states are emphasizing managed competition as a mechanism to reduce Medicare and Medicaid expenditures.
- In San Francisco, we are developing a non-profit HMO to provide services to designated Medi-Cal beneficiaries. The development of this HMO, the San Francisco Health Authority, was approved by the Board of Supervisors in June 1993. Developed appropriately with financial incentives towards the provision of primary care services, managed care systems may actually improve access to groups of individuals who lacked access to a regular provider -- Medi-Cal recipients, Medicare recipients, the working poor, the underinsured and the uninsured.
- As a health care provider, the Department understands the importance of ensuring that employer premiums are spent for health care and not funneled towards high profit margins. It is crucial that spending patterns of HMO organizations be monitored to ensure that the maximum amount of funds are used for the delivery of legitimate health care needs by beneficiaries.

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CALENDAR

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HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, SEPTEMBER 21, 1995 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., 4TH FL.
LEGISLATIVE CHAMBER

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

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REGULAR CALENDAR

1. File 30-95-13. [Cancer in Women, Other Health Concerns] Hearing to consider the incidence of cancer in women and related health concerns in Bayview Hunters Point. (Supervisors Hallinan, Alioto)

ACTION:

2. File 12-95-49. [Moratorium on All Health Care Restructuring] Resolution supporting a moratorium on all health care restructuring, including corporate restructuring, clinical restructuring, and technological restructuring; asking San Francisco's representatives in the State Legislature to support such a moratorium; and urging members of the health care community to take all steps necessary to support and implement such a moratorium. (Supervisor Alioto)
(Consideration continued from 9/7/95)

ACTION:

3. File 100-95-6. [Substance Abuse Funding] Hearing to consider the loss of federal grant money to fund substance abuse programs for pregnant women and mothers and the reduction of state drug medi-cal reimbursements for residential care programs and the impact these reductions now have on local services. (Supervisors Alioto, Bierman)

ACTION:

4. File 121-95-9. [Regulation of Ammunition Sales] Ordinance amending Police Code by adding Section 618 and amending Section 614 to require certain dealers in firearms to record certain information in conjunction with the sales of certain ammunition. (Supervisor Migden)

ACTION:

5. File 248-95-2. [Public Safety Issues, Sunset District] Hearing to consider public safety issues in the Sunset District of San Francisco. (Supervisor Alioto)

ACTION:

6. File 13-95-22. [Presidio Trust Legislation] Hearing to consider the Presidio Trust Bill, HR1296 and S594. (Supervisor Alioto)
(Consideration continued from 8/17/95)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

September 19, 1995

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst
SUBJECT: September 21, 1995 Health, Public Safety and Environment Committee Meeting

Item 4 - File 121-95-9

Department: Police Department

Item: Ordinance amending the Police Code, Part II, Chapter 8 by adding Section 618 and amending Section 614 to require certain dealers in firearms to record certain information, in conjunction with the sale of certain ammunition.

Description: The proposed ordinance would amend Part II, Chapter 8 of the Police Code by adding a new Section 618 and amending Section 614 to require firearms dealers to record information, as outlined in (1) below, in conjunction with the sale of all ammunitions, except ammunition for shotguns that contain bullets that are No. 4 or smaller.

Under the proposed amendment, Section 618 would specifically provide for the following:

(1) No person engaged in the sale of firearm ammunition ("vendor") shall sell or otherwise transfer ownership of any firearm ammunition without, at the time of purchase, recording the following information on a form to be prescribed by the Chief of Police: (a) the name of the vendor, (b) the place where the sale or transfer of the ammunition occurred, (c) the name, address and date of birth of the person to whom the ammunition is sold or transferred to ("transferee"), (d) the transferee's drivers license number, or

other identification number, and the State in which the ammunition was issued, (e) the brand, type and amount of ammunition sold or transferred, and (f) the transferee's signature.

(2) The records required by this Section shall be maintained on the premises of the vendor for a period of not less than two years from the date of the recorded sale or transfer. Such records would be subject to inspection at any time during normal business hours.

(3) No person shall knowingly make a false entry or fail to make a required entry in the records, or fail to maintain the required records in accordance with this Section. No person shall refuse to permit a Police Department employee to examine records prepared in accordance with this Section during any inspection conducted pursuant to this Section.

(4) Failure to adhere to the provisions of this Section would result in the following penalties: (a) any person convicted for the first time of violating any provision of this Section shall be guilty of an infraction and, if convicted shall be punished by a fine of not less than \$50 nor more than \$100, (b) any person violating any provision of this Section a second time, within a 90-day period, shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$300 nor more than \$400 for each provision violated, and/or imprisonment in the County Jail for a period of not more than six months, and (c) any person violating any provision of this Section a third time and each subsequent time, within a 30-day period, shall be punished by a fine of not less than \$400 nor more than \$500 for each provision violated and/or imprisonment in the County Jail for a period of not more than six months.

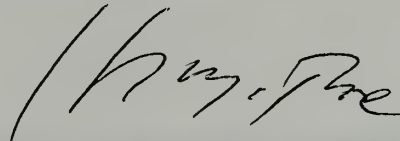
Currently, Section 614 of the Police Code provides, in part, that any person engaged in the business of selling, leasing or otherwise transferring firearms ammunition, except ammunition of .22 caliber or less, shall maintain a bound volume, in which the following information shall be entered: (1) the date, time of sale, lease or transfer of the ammunition, (2) the name of the sales person making the sale, lease or transfer, and such information pertaining to the identity of the person acquiring the ammunition as may be required by regulations prescribed by the Chief of Police or by Federal or State law, (3) the place where the ammunition was sold, leased or transferred and (4) the name of the manufacturer, the caliber and the quantity sold, leased or transferred. The proposed amendment would delete the above-noted provisions

from Section 614, which would be replaced by the provisions in the proposed new Section 618.

Comment:

Lieutenant Jim Speros of the Police Department reports that the Police Department believes that the proposed legislation would result in some additional, but as yet, undetermined costs to the Police Department based on (1) the cost to develop the form, prescribed by the Chief of Police, to be used by the subject vendors to record the above-noted information on firearm ammunition, (2) the cost of additional Police Department hearings in connection with the establishment of new regulations pertaining to the subject vendors and (3) the possible need for additional monitoring and enforcement on the part of Police Department personnel in connection with the proposed amendment. Lieutenant Speros advises that some of these costs could potentially be offset by the proposed fines to be charged to persons convicted of violating the provisions in Section 618. Lieutenant Speros adds that the amount of revenues which might be generated from such fines is unknown at this time.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
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BOARD OF SUPERVISORS
BUDGET ANALYST

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1/5/95

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, OCTOBER 5, 1995 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM, 4TH FL.
401 VAN NESS AVENUE

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

* * * * *

Disability Access



Both the Committee Room and the Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, 2 1/2 blocks from City Hall. Accessible MUNI line serving this location is the #42 Downtown Loop as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.



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The following services are available on request 72 hours prior to the meeting or hearing:

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For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

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REGULAR CALENDAR

1. File 5-95-2. [Water Quality] Hearing to consider San Francisco's water quality and the management of its Water Department. (Supervisor Migden)

ACTION:

2. File 30-95-13. [Cancer in Women, Other Health Concerns] Hearing to consider the incidence of cancer in women and related health concerns in Bayview Hunters Point. (Supervisor Hallinan)
(Consideration continued from 9/21/95)

(Chair intends to entertain a motion that this item be continued.)

ACTION:

3. File 128-95-1. [Toxic Cleanup] Hearing to consider toxic cleanup at 820 Bryant Street. (Supervisor Alioto)

ACTION:

4. File 174-95-7. [Task Force to Implement the SEEDS Report] Hearing to consider creating a community-based task force to implement the Striving for Excellence in Early Care and Development Services (SEEDS) report recommendations, composed of members of the SEEDS community advisory group, members of MAC and parent representation from the District Policy Advisory Council. (Supervisor Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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CALENDAR

1/19/95

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, OCTOBER 19, 1995 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM, 4TH FL.
401 VAN NESS AVENUE

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL

CLERK: JONI BLANCHARD

* * * * *

Disability Access



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REGULAR CALENDAR

1. File 228-95-3. [ADA Compliance of Building at 5048 Third Street] Hearing to determine whether the Wells Fargo Building located at 5048 Third Street is in compliance with ADA (Americans With Disabilities Act) requirements. (Supervisor Alioto)

ACTION:

2. File 248-95-2. [Public Safety Issues, Sunset District] Hearing to consider public safety issues in the Sunset District of San Francisco. (Supervisor Alioto)

ACTION:

3. File 57-95-3. [Litter Receptacles] Resolution urging the Mayor to urge the Chief Administrative Officer and the Department of Public Works to seriously consider the feasibility of installing additional public use litter receptacles throughout the City and County of San Francisco. (Supervisors Leal, Shelley)

ACTION:

4. File 30-95-7. [Tobacco Use by Teenagers] Hearing to consider the reported increase in tobacco use among teenagers in San Francisco. (Supervisor Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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OCT 19 1995

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October 17, 1995

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendations for...*
SUBJECT: October 19, 1995 Health, Public Safety and Environment Committee Meeting

Item 3 - File 57-95-3

Item: Resolution urging the Mayor to urge the Chief Administrative Officer and the Department of Public Works to seriously consider the feasibility of installing additional public use litter receptacles throughout the City and County of San Francisco.

Description: As reported to the Board of Supervisors by Mr. John Roumbanis of the Department of Public Works (DPW) Bureau of Street Environmental Services, the City currently has approximately 2,907 locking concrete litter receptacles, and 70 pole-mounted basket litter receptacles, for a total of 2,977 litter receptacles citywide. The DPW advises that litter receptacles are placed primarily in commercial districts, and on street corners, bus stops, and plazas where there is a high degree of pedestrian traffic. Residents and businesses may also request that a litter receptacle be installed in a public location near their home or business.

According to Mr. Roumbanis, the per-unit cost, including installation, of the City's concrete litter receptacles is \$325, and the per-unit cost of the pole-mounted receptacles was formerly \$100, but has now risen to \$230 per unit. Mr. Roumbanis advises that the DPW budgets approximately \$50,000 annually for replacement of stolen or damaged litter receptacles, and for materials needed to repair existing

receptacles. Mr. Roumbanis reports that approximately 500 of the City's litter receptacles are damaged or destroyed each year.

Mr. Roumbanis reports that the Mayor's Office of Community Development has provided funding for the installation of over 400 concrete litter receptacles in the past three years from Federal Community Development Block Grant (CDBG) funds, and that the MOCD is currently reviewing the DPW's request for funding for an additional 300 receptacles in the 1996 CDBG Program. Mr. Roumbanis also notes that the Chief Administrative Officer's Neighborhood Beautification Fund has funded the purchase of approximately 50 concrete litter receptacles over the last 4 to 5 years. The Neighborhood Beautification Fund is provided through a Charter amendment passed in 1990 which allows businesses to direct up to 1 percent of their business or payroll tax liability to Neighborhood Beautification efforts.

Mr. Roumbanis advises that the Department has recently ordered 10 wire-mesh free-standing litter baskets, at a unit cost of \$170, or approximately 47.7 percent less than the \$325 unit cost of the concrete receptacles. These wire-mesh litter baskets will be installed on a trial basis, and the DPW advises that during the trial period, the Department will track the maintenance and replacement costs, including the rate at which the wire-mesh baskets are likely to be damaged or destroyed.

Mr. Roumbanis reports that if additional funds were available for purchase and maintenance of litter receptacles, the Department believes that an additional approximately 1,000 receptacles would substantially decrease the ongoing litter problem in areas of the City.

Comments:

1. The City currently has a contract under which it pays Golden Gate Disposal and Sunset Scavenger an amount of \$650,000 annually to empty all City litter receptacles. The cost of this service is approximately 60¢ per receptacle per day, or \$216 per receptacle per year. Under the contract with Golden Gate Disposal and Sunset Scavenger, most litter receptacles are emptied once a day, and approximately 250 receptacles in very busy commercial areas are emptied twice a day, according to the DPW. Funding for this service is provided through the fees charged to garbage ratepayers.

2. The DPW employs two Laborers, one Truck Driver, and one-half time Laborer Supervisor, at an estimated total annual salary and benefit cost at the top step of up to \$183,085,

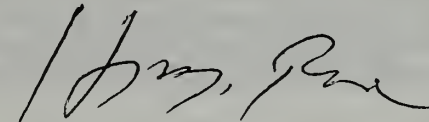
to carry out maintenance and replacement of litter receptacles. Funds for these employees, and the \$50,000 in replacement and maintenance costs noted above, are included in the DPW's annual operating budget which is primarily provided from gas tax funds and from enterprise funds.

3. Taken together, the total annual cost of emptying, maintaining and replacing the City's litter receptacles is approximately \$883,085 (\$650,000 plus \$183,085, plus \$50,000 in replacement and maintenance materials as noted above).

4. As the number of litter receptacles increases, the DPW's ongoing cost to empty and maintain receptacles will also increase. Mr. Roumbanis notes that the CDBG funds and Neighborhood Beautification funds described above funded only the purchase, and not the emptying or maintenance, of litter receptacles. As noted above, each additional litter receptacle costs \$216 annually for emptying.

Comment: The Attachment, provided by the DPW, outlines factors considered by the Department in its choice and placement of appropriate litter receptacles for the City.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
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September 28, 1995

THROUGH: William L. Lee
Chief Administrative Officer

Supervisor Susan Leal
San Francisco Board of Supervisors
401 Van Ness Avenue, 3rd Floor
San Francisco, CA 94102

Dear Supervisor Leal:

This letter is in response to your recent request for information on public litter receptacles, the acquisition, placement and maintenance, of which, is the responsibility of Public Works' Bureau of Street Environmental Services. I believe that we can best proceed with the subject by answering some of the basic questions often raised.

What is the need for and history of public litter receptacles on the City's street system?

Litter receptacles are installed generally in commercial areas, strategically on corners, mid-blocks, bus stops, and plazas, where they can effectively accommodate the public's need to dispose of casual litter—not household garbage.

How many litter receptacles are currently placed in the City's street system?

Based on the most recent inventory jointly conducted by DPW and Norcal, there are 2907 Hanson Concrete Monument-type litter receptacles and 70 pole mounted basket-types.

How much do they cost?

The City currently pays \$325 per unit, including a 32-gallon plastic insert, locking mechanism, and delivery to street locations. The Department paid about \$100 for the metal pole baskets (17- Gallon size) currently installed on utility poles. The new generation under consideration cost \$230.

Who empties the Public Works litter receptacles and how much does it cost?

This service is contracted out by the Department with the city's two private scavenger companies: Golden Gate Disposal and Sunset Scavenger Companies. The cost is 60 cents per unit or \$216/year. The value of the total cost annually is based on 3000 units is about \$650,000.

Why has the City stayed with the same basic design for so many years?

Because it was designed right here in San Francisco by J. Edward Fleishell, Chairman of San Franciscans for a Cleaner City, a mayor's litter committee under Mayors George Moscone and Dianne Feinstein, with considerable input from Public Works and the city's two private scavenger companies, Golden Gate Disposal and Sunset Scavengers. While the City receives no royalties for this successful design, it has always received a very good price from Hanson Concrete Products. We are proud of the fact that many other cities have opted for this unique and elegant design.

Has DPW considered less expensive options?

Yes. The Department maintains files on various litter receptacle designs and prices. Before committing to any change, certain criteria must be met. Price, serviceability by the scavengers, maintenance costs, public safety, design features, aesthetics have traditionally been some of the major considerations that go into selecting the right litter receptacle for San Francisco. To meet public demand during lean budget years, pole baskets costing less than \$100 have been utilized, but they are problematic and cause a host of tradeoff issues. When there is good reason to switch design, based on price or practical improvements, we will not hesitate to do so, as it is clearly our management imperative.

Why doesn't the City buy trash baskets that cost only \$49.50, such as those used by the City of New York?
 It has just come to our attention that wire mesh-style trash baskets built in the prisons of New York State are used generously by the City of New York. Our records indicate that similar trash baskets normally cost about \$138, plus tax and shipping costs. As previously alluded to, cost is only part of the criteria for selecting the right litter receptacle for San Francisco. For aesthetic reasons alone, basket-type receptacles--except for pole baskets--have traditionally been rejected in San Francisco. But today, there are many more practical reasons why wire mesh-style receptacles should not seriously be considered for placement in most parts of our city. Here are a few:

⇒ **Theft**

New York City's Department of Sanitation a few years ago, experienced annual theft of trash baskets thousands of units annually, many used for barbeques. If these units were to be used in San Francisco today, it potentially could result in certain chaos in record keeping, citizen complaints, and wasted resources because of paying for emptying services by the scavengers for litter receptacles that have been stolen from various locations.

⇒ **Vandalism**

San Francisco today, like many metropolitan cities around the world, suffers from the daily ravages of a sizable street people population, many of which are clearly demented and hopelessly destructive. The Department of Public Works responds almost daily to situations where our 900 pound concrete litter receptacles have been pushed into the street area and laid on their side, often times ruined. In some parts of the city, contents of litter receptacles are burned, creating expensive maintenance costs for the operation.

⇒ **Public Safety**

During civil disturbances, such as the Rodney King protest and the Iraqi War, Public Works lost over 100 concrete litter receptacles due to tip-overs. It would seem that loose wire mesh baskets, if present during similar situations, would enhance those forces bent on certain destruction. It should also be pointed out that the common practice by some of burning the contents of litter receptacles has a potential for igniting nearby wooden structures. This is an argument for properly containing litter and also staying away from plastic receptacles (which do in fact also burn).

⇒ **Exposure to Elements**

San Francisco experiences 13 mph afternoon prevailing westerly winds. These same winds that swirl and deposit great quantities of litter on north and west block fronts, profoundly affecting the Public Works street cleaning operation, can also lift loose litter out of litter baskets and scatter it around the street areas. During the rainy season, an open litter receptacle accepts water and adds to the weight of their contents, something that the workers who empty them do not look forward to.

Gravity Litter Receptacle Project

The Bureau of Street Environmental Services is always looking for the "better mousetrap," as evidenced from a unique litter receptacle design they have been developing in conjunction with the scavengers. A concept unit has been built, and a prototype for street testing will be available in about two months. This unique unit, if successful, will address some of the shortcomings of existing litter receptacle with the exception of cost, which could be offset by allowing placement of advertising panels.

How many litter receptacles is enough?


This is a policy question which is usually determined by the budget. When Dianne Feinstein was Mayor, she wanted more litter receptacles on street corners. Most recently, Mayor Frank Jordan has authorized the Office of Community Development to fund the placement of over one thousand new units throughout OCD areas citywide. Except for bus stops, litter receptacles should generally be placed in commercial areas. This is common practice not only in San Francisco but most cities nationwide. DPW does not have sufficient funding in its street cleaning budget to place receptacles in new sites. More litter receptacles are needed in commercial and tourist areas, such as downtown and some of the neighborhood shopping strips. It must be acknowledged, however, that because of illegal dumping and insufficient maintenance, that citizen complaints are common. Frequently a sincere request for the placement of a litter receptacle is followed up by a request for its removal, either by the person who initiated the request or an irate neighbor. Public Works is usually caught in the middle. It must be noted that unless there is a concomitant increase in maintenance capability reflected in annual budget for litter receptacles, the Department of Public Works cannot responsibly install additional litter receptacles in the street areas.

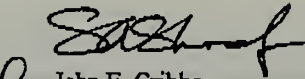
In conclusion, I trust that I have shed some light on this important subject that affects everyone who uses our street system. You may be interested to know that ten basket-type litter receptacles have been ordered by the Department of Public Works and will be installed in strategic locations on a trial basis. This should occur in about two weeks. We will keep your office apprised of

our actions. Should you have any further questions regarding litter receptacles or wish to meet on the subject, I would be more than pleased to make my offices available to you or your staff.

Recommended: "

Very truly yours,


John Roumbanis
Superintendent, BSES


John E. Cribbs
Director of Public Works

Approved:

Scott A. Shoaf, DDO

Informational Attachments:

Litter Receptacle Survey Results
Pertinent Code Sections
Hanson Receptacle Brochure
Litter Basket Brochure
Approved City Litter Receptacle Memorandum

c: Mr. John L. Taylor
Clerk of the Board

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BOARD of SUPERVISORS



401 Van Ness Avenue, Room 308
San Francisco 94102-4532
554-5184

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canceled

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NOTICE OF CANCELED MEETING
HEALTH, PUBLIC SAFETY AND ENVIRONMENT COMMITTEE

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Health, Public Safety and Environment Committee for Thursday, November 2, 1995, at 1:00 p.m., has been canceled. The next regularly scheduled meeting of the Committee is Thursday, November 16, 1995, at 1:00 p.m. in Room 410, Veterans Building, 401 Van Ness Avenue.

John L. Taylor
JOHN L. TAYLOR *sm*
Clerk of the Board

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CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, NOVEMBER 16, 1995 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM, RM. 410
401 VAN NESS AVENUE

MEMBERS: SUPERVISOR ANGELA ALIOTO, TERENCE HALLINAN, SUSAN LEAL
CLERK: JONI BLANCHARD

* * * * *

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REGULAR CALENDAR

1. File 207-95-11. [Protest March Procedures of Police/Sheriff] Hearing to consider and examine procedures employed by the Police and the Sheriff's Departments during and after the June 26, 1995 protest march in the Mission District. (Supervisors Alioto, Bierman, Ammiano, Teng)
(Consideration continued from 8/17/95)

ACTION:

2. File 121-95-10. [Tobacco Advertising and Promotion] Ordinance amending Police Code by adding Section 674 to prohibit the outdoor advertising and promotion of cigarettes and other tobacco products in publicly visible locations near schools, parks, playgrounds and recreation centers or facilities. (Supervisors Alioto, Ammiano, Bierman)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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CITY AND COUNTY



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BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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November 14, 1995

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendations for mtg 11/16/95*
SUBJECT: November 16, 1995 Health, Public Safety and Environment Committee Meeting

Item 2 - File 121-95-10

Item: Ordinance amending Police Code by adding Section 674 to prohibit the outdoor advertising and promotion of cigarettes and other tobacco products in publicly visible locations near schools, parks, playgrounds and recreation centers or facilities.

Description: The proposed ordinance would prohibit outdoor advertising of cigarettes and other tobacco products within 1,500 feet of a school, park, recreation center, or playground in San Francisco, for the purpose of discouraging and reducing illegal sales and furnishing of tobacco products to minors. The proposed ordinance would become effective six months from the date of adoption by the Board of Supervisors.

For the purposes of this legislation, outdoor advertising would include all signs, billboards, posters, etc. which are publicly visible, including those posted in the windows of stores and commercial establishments. The prohibition would not apply to; (a) advertising which is inside stores and not visible from the outside, (b) commercial establishments where access is prohibited to persons under 18, such as bars, and, (c) signs and symbols used in anti-smoking campaigns.

The proposed ordinance provides that the prohibition against outdoor advertising of tobacco products would be enforced by

the Department of Public Works (DPW). The DPW would create a map of the City showing schools, parks, recreation centers, and playgrounds, and showing the 1,500 foot radii around these facilities within which outdoor advertising of tobacco products would be prohibited.

In enforcing the proposed ordinance, the DPW would; (a) review and act on any written complaint regarding outdoor advertising of tobacco products near a school, park, etc. within 30 days, and, (b) issue written notice to persons or establishments determined to be in violation of the ordinance giving such persons 30 days to act on the notice and remove the prohibited advertising. The legislation provides that an injunction may be issued against persons or establishments violating this ordinance, and that a penalty of \$100 per day for each violation can be assessed against such persons or establishments, plus the cost of attorney's fees incurred in enforcing the ordinance.

Comments:

1. Ms. Denise Brady of the Department of Public Works advises that, as of the writing of this report, the DPW has not estimated the cost for enforcing the proposed ordinance. Ms. Brady reports that the Department would incur staff time and materials costs to update the City maps showing schools, parks, recreation centers, and playgrounds and showing the 1,500 foot radii around these facilities within which outdoor advertising of tobacco products would be prohibited. Ms. Brady further notes that because the DPW does not typically carry out enforcement activities on private property (such as a store displaying tobacco advertising), it is likely that a substantial amount of staff time and other costs would be incurred in setting up an enforcement program.

2. Currently, within the Department of Public Health, the Tobacco Free Project conducts anti-smoking education efforts, and the Environmental Health Management Bureau responds to complaints and enforces City ordinances dealing with smoking in workplaces, restaurants, retail stores, etc., and enforces ordinances regarding access to cigarette vending machines. In addition, Mr. Tom Revard of the DPH reports that in the course of their normal inspections of commercial establishments, DPH health inspectors also educate business operators regarding restrictions on smoking and access to cigarette vending machines.

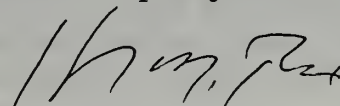
3. Mr. Alec Bash of the City Planning Department reports that currently, persons who wish to erect a new sign (such as a billboard), or change certain aspects of a sign such as its size, shape, or lighting, must apply for a sign permit.

However, Mr. Bash advises that the Planning Department's review of such permit applications does not address issues such as the type of advertising to be placed on signs.

4. According to Mr. Mike Moreland of the Recreation and Park Department, there are more than 200 parks, recreation centers, and playgrounds distributed around the City. According to Mr. Arturo Taboada of the San Francisco Unified School District, there are approximately 114 school sites located throughout the City.

5. Businesses which are subject to the City's Payroll/Gross Receipts tax must pay the higher of either 1.5 percent of their total payroll, or, for most businesses, \$3.00 per \$1,000 of gross receipts. Businesses with a calculated tax liability of \$2,500 or less are exempt from this tax. In addition, the City collects possessory use taxes from outdoor advertising structures such as billboards and bus shelters. It is possible that revenues from these taxes could be reduced by a prohibition of outdoor advertising of cigarette and tobacco products near schools, parks, recreation centers, and playgrounds. However, no estimates of the amount of the potential impact on tax revenues are available at this time, according to the Tax Collector's Office.

Recommendations: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.


Harvey M. Rose

cc: Supervisor Alioto
Supervisor Hallinan
Supervisor Leal
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Migden
Supervisor Teng
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BOARD OF SUPERVISORS
BUDGET ANALYST

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REGULAR MEETING

THURSDAY, DECEMBER 7, 1995 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM, RM. 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Terence Hallinan, Susan Leal

CLERK: Joni Blanchard

* * * * *

Disability Access



Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #5 Fulton, #21 Hayes, #42 Downtown Loop, #47 Van Ness and #49 City College lines and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.



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For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

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REGULAR CALENDAR

1. File 75-95-1.1. [Beach Blanket Babylon Boulevard] Resolution commending Steve Silver's work and philanthropy by designating the 600 block of Green Street "Beach Blanket Babylon Boulevard". (Supervisor Alioto)

ACTION:

2. File 30-95-22. [DPH Application] Resolution approving the Department of Public Health application to the California Department of Health Services for Certification as a Unified Program Agency. (Supervisor Alioto)

ACTION:

3. File 237-95-1. [Domestic Violence] Resolution finding that domestic violence is a serious crime and not a civil dispute and that civil compromise is an inappropriate resolution to these cases; urging the judges of the Municipal Court to stop the use of civil compromise in domestic violence cases; urging that when such compromises are considered that proper notice and hearings are required; and further urging the District Attorney to continue his efforts to resist civil compromise in domestic violence cases and continue the pursuit to amend the California Penal Code to prohibit the use of civil compromise in domestic violence cases. (Supervisors Kaufman, Alioto)

ACTION:

4. File 294-95-1. [Pagoda Palace Theatre] Hearing to consider the proposed conversion of the Pagoda Palace Theatre into a mini mall and the impact this project will have on the North Beach neighborhood. (Supervisors Alioto, Ammiano, Bierman)

ACTION:

5. File 207-95-14. [938 Harrison Street] Hearing to consider the Police Department's handling of the disposition of complaints resulting from the 938 Harrison Street incident. (Supervisors Ammiano, Bierman)

ACTION:

6. File 121-95-10. [Tobacco Advertising and Promotion] Ordinance amending Police Code by adding Section 674 to prohibit the outdoor advertising and promotion of cigarettes and other tobacco products in publicly visible locations near schools, parks, playgrounds and recreation centers or facilities. (Supervisors Alioto, Ammiano, Bierman, Teng) (Consideration continued from 11/16/95) FISCAL IMPACT

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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CALENDAR

12/21/95

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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DEC 13 1995

SAN FRANCISCO
PUBLIC LIBRARYREGULAR MEETINGTHURSDAY, DECEMBER 21, 1995 - 1:00 P.M.

VETERANS BUILDING
 COMMITTEE ROOM, RM. 410
 401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Terence Hallinan, Susan Leal

CLERK: Joni Blanchard

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REGULAR CALENDAR

1. File 294-95-1. [Pagoda Palace Theatre] Hearing to consider the proposed conversion of the Pagoda Palace Theatre into a mini mall and the impact this project will have on the North Beach neighborhood. (Supervisors Alioto, Ammiano, Bierman)
(Consideration continued from 12/7/95)

ACTION:

2. File 30-95-14. [Health Care] Hearing to consider the status of health care restructuring in San Francisco and its impact on patient services and health care workers. (Supervisor Alioto)
(Consideration continued from 8/23/95)

ACTION:

3. File 12-95-49. [Moratorium on All Health Care Restructuring] Resolution supporting a moratorium on all health care restructuring, including corporate restructuring, clinical restructuring, and technological restructuring; asking San Francisco's representatives in the State Legislature to support such a moratorium; and urging members of the health care community to take all steps necessary to support and implement such a moratorium. (Supervisor Alioto)
(Consideration continued from 9/21/95)

ACTION:

4. File 271-95-1. [Local Tobacco Tax] Hearing to consider the establishment of a local tax on tobacco products. (Supervisor Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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BOARD of SUPERVISORS

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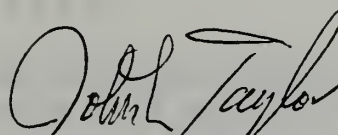
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NOTICE OF CANCELED MEETING

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of
the Health, Public Safety and Environment Committee for Thursday,
January 4, 1996, at 1:00 p.m., has been canceled.


John L. Taylor
Clerk of the Board

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/18/96

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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JAN 16 1996

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REGULAR MEETING

THURSDAY, JANUARY 18, 1996 - 1:00 P.M.

VETERANS BUILDING
LEGISLATIVE CHAMBER, RM. 404
401 VAN NESS AVENUE

MEMBERS: SUPERVISORS ANGELA ALIOTO, SUSAN LEAL

CLERK: Joni Blanchard

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REGULAR CALENDAR

1. File 237-95-1. [Domestic Violence] Resolution finding that domestic violence is a serious crime and not a civil dispute and that civil compromise is an inappropriate resolution to these cases; urging the judges of the Municipal Court to stop the use of civil compromise in domestic violence cases; urging that when such compromise in domestic violence cases; urging that when such compromises are required; and further urging the District Attorney to continue his efforts to resist civil compromise in domestic violence cases and continue the pursuit to amend the California Penal Code to prohibit the use of civil compromise in domestic violence cases. (Supervisors Kaufman, Alioto, Hallinan, Leal, Teng)
(Rereferred to Committee from Board 1/8/96)

ACTION:

2. File 12-96-5. [State AIDS Drug Assistance Program] Hearing to consider the addition of newly approved drugs to the State's AIDS Drug Assistance Program. (Supervisor Alioto)

ACTION:

3. File 108-95-1. [Kaiser Permanente] Hearing to consider the healthcare services provided by Kaiser Permanente to people with HIV/AIDS. (Supervisors Ammiano, Alioto)

ACTION:

4. File 121-96-1. [Pawnbroking Moratorium, Mission/Ingleside] Ordinance amending Police Code Section 2825 to extend the moratorium on the issuance of permits by the Chief of Police to operate any pawnbroking business in the Mission and Ingleside Districts to January 15, 2001. (Supervisor Hsieh, Leal)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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Bill Lynch
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HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
REGULAR MEETING

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JAN 29 1996

SAN FRANCISCO
PUBLIC LIBRARYTHURSDAY, FEBRUARY 1, 1996 - 1:00 P.M.

VETERANS BUILDING
 LEGISLATIVE CHAMBER, RM. 410
 401 VAN NESS AVENUE

MEMBERS: SUPERVISORS ANGELA ALIOTO, SUSAN LEAL

CLERK: Joni Blanchard

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Disability Access



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REGULAR CALENDAR

1. File 108-95-1. [Kaiser Permanente] Hearing to consider the healthcare services provided by Kaiser Permanente to people with HIV/AIDS. (Supervisors Ammiano, Alioto)
(Consideration continued from 1/18/96)

ACTION:

2. File 78-96-2. [Health Service System] Resolution authorizing the Director of Health Services to write to Kaiser Permanente and all other such health plan providers informing them that as an employee/retiree health plan provider they are expected to make available the most current and effective preventative care treatment for HIV disease/AIDS and all life-threatening illness to everyone enrolled in San Francisco's employee/retiree health plans. (Supervisors Ammiano, Alioto, Migden)

ACTION:

3. File 208-95-5. [Fire Museum] Hearing to consider whether the Fire Museum artifacts should be transferred to the San Francisco City Museum. (Supervisor Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO
PUBLIC LIBRARY

REGULAR MEETING

THURSDAY, FEBRUARY 15, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM, ROOM 410
401 VAN NESS AVENUE

MEMBERS: SUPERVISORS ANGELA ALIOTO, SUSAN LEAL, MICHAEL YAKI

CLERK: JONI BLANCHARD

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REGULAR CALENDAR

1. File 208-95-5. [Fire Museum] Hearing to consider whether the Fire Museum artifacts should be transferred to the San Francisco City Museum. (Supervisor Alioto)
(Consideration continued from 2/1/96)

ACTION:

2. File 60-96-1. [Tort Liability/Attorney's Fees, 3/26/96 Ballot] Resolution opposing California State Propositions 200, 201, and 202 that have called for limitations on attorney's and citizens liberties by restricting tort liability, shareholder actions and contingent fees. (Supervisors Alioto, Kennedy)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

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FEB 29 1996

SAN FRANCISCO
PUBLIC LIBRARYTHURSDAY, MARCH 7, 1996 - 1:00 P.M.VETERANS BUILDING
COMMITTEE ROOM, ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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REGULAR CALENDAR

1. File 12-96-6. [Bay Area Rapid Transit District Police] Hearing to consider the operations and management oversight of the Bay Area Rapid Transit District police. (Supervisor Ammiano)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, APRIL 4, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM, ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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Disability Access



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REGULAR CALENDAR

1. File 12-96-6. [Bay Area Rapid Transit District Police] Hearing to consider the operations and management oversight of the Bay Area Rapid Transit District police. (Supervisor Ammiano)

ACTION:

2. File 207-96-4. [Gang-related Rapes] Hearing to consider the recent incidents of gang-related rapes in the City and County of San Francisco. (Supervisor Alioto)

ACTION:

3. File 208-95-5. [Fire Museum] Hearing to consider whether the Fire Museum artifacts should be transferred to the San Francisco City Museum. (Supervisor Alioto)
Continued from 2/15/96.

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

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BOARD OF SUPERVISORS

APR 25 1996

CITY AND COUNTY OF SAN FRANCISCO

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PUBLIC LIBRARY

REGULAR MEETING

THURSDAY, MAY 2, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM, ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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Disability Access



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REGULAR CALENDAR

1. File 207-96-4. [Gang-related Rapes] Hearing to consider the recent incidents of gang-related rapes in the City and County of San Francisco. (Supervisor Alioto)
Continued from April 4, 1996

ACTION:

2. File 12-96-21. [State Penal Code - Rape] Resolution urging the State Legislature to increase the penalties for the crime of rape as defined in State Penal Code Sections 264 (a) and (b) and Penal Code Sections 186.22 (a) and (b); and urging the Governor and the State Legislature to increase funding for rape prevention programs. (Supervisor Alioto)

ACTION:

3. File 30-96-9. [Rape - Treatment Services] Resolution urging his Honor, the Mayor, to support the Department of Public Health Adult Sexual Assault Services Planning group's recommendations to develop an integrated sexual assault services system in the City and County of San Francisco; and urging the Mayor to urge the Health Commission to conduct an assessment of sexual assault services available to young women and girls in the City and County of San Francisco. (Supervisor Alioto)

ACTION:

4. File 236-96-1. [Sexual Predator Law, AB 888] Resolution designating the District Attorney to assume responsibility for proceedings brought under AB 888, the new State sexual predator law. (Supervisors Kaufman, Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

April 30, 1996

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendations for meeting of.*
SUBJECT: May 2, 1996 Health, Public Safety and Environment Committee Meeting

Item 3 - File 30-96-9

Department: Department of Public Health (DPH)

Item: Resolution urging the Mayor to support the Department of Public Health Adult Sexual Assault Services Planning Group's recommendations to develop an integrated sexual assault services system in the City, and urging the Mayor to urge the Health Commission to conduct an assessment of sexual services available to young women and girls in the City.

Description: In May of 1995, the DPH established an Adult Sexual Assault Services Planning (ASASP) Group to assess the sexual assault services available in San Francisco and to identify an appropriate role for the DPH's Rape Treatment Center (RTC), and the DPH as a whole, to utilize within a sexual assault services system. See Attachment I for the roster of participants in the ASASP Group.

According to the proposed legislation, the present goals of the ASASP Group are to (1) expand sexual assault services to all adults (women and men) requiring such services to ensure cost effective delivery of sexual assault services, (2)

fill gaps in existing sexual assault services and in the overall array and quality of sexual assault services, (3) assure the most responsive service delivery system on the part of the DPH and (4) facilitate continuity among all elements of the sexual assault system.

The ASASP Group's recommendation's are grouped into two phases, as follows:

Phase I - Recommendations for Immediate Improvements to the Delivery of Sexual Assault Services:

- Combine the expertise of community-based advocates and DPH's RTC clinically trained personnel.
- Fill identified sexual assault services gaps by contracting with community-based service providers for new services in the areas of peer advocacy, prevention, and outreach services.
- Eliminate the DPH's RTC telephone line and contract with a community-based organization to provide crisis-line services.
- Develop a position at the Commission of the Status of Women responsible for the coordination of City-wide services including monitoring, maintaining and expanding sexual assault services and providing system-wide institutional advocacy.
- Request the Commission on the Status of Women (COSW) to assume responsibility for contracting out the above recommended community-based services
- Accomplish proposed Phase I changes within the DPH's RTC's existing budget.

Phase II - Long-Term Planning Recommendations

- Designate DPH staff to develop a long-range planning process to monitor, review and evaluate the implementation of Phase I recommendations working with the COSW City-wide coordinator, the ASASP Group and others such as representatives of the criminal justice system.
- Develop a proposal for integrated counseling services which will eliminate waiting lists for sexual assault survivors and will ensure access to counseling services ranging from peer counseling to long-term out-patient

Memo to Health, Public Safety and Environment Committee
May 2, 1996 Health, Public Safety and Environment Committee Meeting

counseling. DPH advises that development of this proposal would be a collaborative effort between the DPH and the COSW and is anticipated to be performed within the two departments' existing budgets.

- Develop a system to coordinate care for women survivors of trauma, both within the DPH and City-wide, to ensure the most effective service delivery system. DPH also advises that the development of a system to coordinate care for women survivors would also be a collaborative effort between the DPH and the COSW and is anticipated to be performed within the two departments' existing budgets.

The DPH reports that DPH staff, in conjunction with the ASASP Group, have recently performed an assessment of adult sexual assault services available to adults (women and men) in the City and have identified gaps and service needs in the current system of care.

Comments:

1. The DPH has entered into a Memorandum of Understanding (MOU) for the period April 1, 1996 through June 30, 1997 with the COSW for the COSW to provide the following services in connection with the Phase I recommendations (1) administration of contracts with community-based organizations, (2) coordination of City-wide sexual assault service delivery, (3) fund raising in connection with sexual assault services and (4) legislative advocacy in connection with sexual assault services. Attachment II is copy of the MOU. According to Ms. Paula Jesson of the City Attorney's Office, this MOU is not subject to approval of the Board of Supervisors. Attachment III, provided by the DPH, contains the budget details for a total of \$264,845 for the services to be provided by COSW under the MOU. Of the \$264,845, the DPH will workorder a total of \$85,000 to COSW in the current fiscal year from previously appropriated funds. The DPH has included the balance of \$179,845, to be workordered to COSW, in its FY 1996-97 budget request. According to Mr. David Dupree of the DPH, the \$179,845 will be available to be workordered to COSW without increasing DPH's budget.

2. The Office of the Sponsor of the proposed legislation advises that an Amendment of the Whole to the proposed legislation will be introduced at the Health, Public Safety and Environment Committee meeting on May 2, 1996.

Recommendation:

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

ATTACHMENT 1**Adult Sexual Assault Services Planning Group
Roster of Participants**

Name	Title	Organization
Michelle Arnaudy	Public Service Aide	Forensic Services
Madeline Daly	Nurse Manager	SFGH Emergency
Lynda Fratteroli	Clinical Supervisor	Medical Social Services, SFGH Emergency
Lenore Goldman	Organizational Consultant	Goldman Associates
Belma Gonzalez	Director	Women's Needs Center
Rallé Greenberg	Acting Director	Rape Treatment Center
Phyllis Harding	Senior Associate Administrator	SFGH-MHRF
Richard Hill	Policy Analyst	Forensic AIDS Project
Kate Monico Klein	Assistant Director	Forensic Services, DPH
Anne Kronenberg	Special Assistant to Director	Department of Public Health
Wenny Kusuma	Director	La Casa de las Madres
Mary Ma	Program Coordinator	Center for Special Problems
Rosario Navarrette	Admin. of DV Programs	Commission on the Status of Women
Emily Newman	Psychiatrist	Department of Psychiatry-SFGH
Lucinda Ramberg	Program Coordinator	UCSF Rape Prevention Program
Rebecca Rolfe	Director	San Francisco Women Against Rape
Esta Soler	Director	Family Violence Prevention Fund
Aline Womack	Director	Psychiatric Emergency Services



MEMORANDUM OF UNDERSTANDING FOR THE PROVISION OF SPECIALIZED SERVICES FOR ADULT SEXUAL ASSAULT SURVIVORS

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE DEPARTMENT OF PUBLIC HEALTH

AND THE

COMMISSION ON THE STATUS OF WOMEN

Pursuant to the joint resolution approved October 17, 1995, this Memorandum of Understanding is entered into this 25TH day of March, 1996, between the Department of Public Health and the Commission on the Status of Women. The Memorandum of Understanding shall govern the terms and conditions associated with the provision of specialized services for adult sexual assault survivors, funded by the Department of Public Health and administered by the Commission on the Status of Women.

I. TERM

The term of this Memorandum of Understanding shall be from April 1, 1996 through June 30, 1997.

II. SCOPE OF SERVICES

Upon the execution of this Memorandum of Understanding, the Commission on the Status of Women shall perform the following services and activities.

A. ADMINISTRATION OF CONTRACTS WITH COMMUNITY-BASED ORGANIZATIONS - The Commission on the Status of Women shall administer contracts with community based organizations for the provision of advocacy, accompaniment and centralized crisis line services for adult sexual assault survivors. At a minimum, the Commission shall perform the following activities:

1. Develop the Request for Proposal for the provision of advocacy, accompaniment and centralized crisis line services, and solicit proposals from qualified community based organizations;
2. Establish a contract review panel which will assist Commission staff in the review of proposals and the selection of community based service providers;



MEMORANDUM OF UNDERSTANDING FOR THE PROVISION OF SPECIALIZED SERVICES FOR ADULT SEXUAL ASSAULT SURVIVORS

3. Manage all administrative activities associated with the processing of contracts through the City and County of San Francisco's contracts management and procurement systems;
4. Manage all administrative activities associated with the periodic payment of contractors for services rendered;
5. Monitor contract compliance (which may include site reviews), establish action plans for the resolution of identified deficiencies, and provide technical assistance to contractors, as required to ensure that services provided meet the needs of sexual assault survivors, and are cost-effective;
6. Submit to the Department of Public Health, quarterly reports prepared by those community based organizations providing sexual assault survivor services associated with this Memorandum of Understanding. Such reports must include data regarding the types and levels of services provided; and quantitative and demographic data regarding clients served. Reports must also detail expenditures incurred during the reporting period, consistent with the budget as established.
7. Develop, and submit to the Health Commission, bi-annual reports which summarize and analyze data contained in the quarterly reports of community based organizations. In addition, the bi-annual reports must provide detailed information regarding the results of monitoring activities, and the status of remedial actions plans as appropriate.
8. Develop, and submit to the Health Commission, Mayor and Board of Supervisors, an annual report on the current status of services for adult sexual assault survivors. The format and content of the annual report shall be jointly determined by the Commission and the Department of Public Health.

B. COORDINATION OF CITY-WIDE SEXUAL ASSAULT SERVICE DELIVERY - The Commission on the Status of Women shall assume primary responsibility for the city-wide coordination of services for adult sexual assault survivors. Toward this end, the Commission shall:

1. Conduct research to evaluate the level and quality of services that are required to address the needs of sexual assault survivors, and the effectiveness of intervention systems.
2. Hold public hearings on the status of sexual assault services in San Francisco. Such hearings will be held annually during the month of March, which has been designated *Sexual Assault Prevention Month*.
3. Develop a strategic plan for the delivery of sexual assault services, which respond to issues raised during the public hearing process, and address the concerns of sexual assault survivors and their advocates.
4. Establish a city-wide sexual assault services task force, which shall include appropriate representatives of City and County of San Francisco departments,



MEMORANDUM OF UNDERSTANDING FOR THE PROVISION OF SPECIALIZED SERVICES FOR ADULT SEXUAL ASSAULT SURVIVORS

community based organizations providing sexual assault services, and sexual assault survivors. The task force shall provide input to the Commission regarding the development of systems, policies and procedures to ensure the effective implementation of sexual assault services which are accessible, and sensitive to the ethnic, cultural and sexual diversity of San Francisco.

5. Coordinate the development and dissemination of a resource guide for adult sexual assault services in San Francisco and the greater Bay Area.
- C. FUND RAISING** - The Commission on the Status of Women shall assume a leadership role in the identification of new sources of funding to expand the delivery of local sexual assault services; and the development of proposals and/or applications for such funding.
- D. LEGISLATION** - The Commission on the Status of Women shall actively promote local and state legislation regarding sexual assault crimes and services for sexual assault survivors through the review and evaluation of existing and proposed legislation; and the initiation of new legislation, as required, through appropriate task forces, coalitions and legislative entities. In addition, the Commission shall serve as a resource to the Director of Health, the Mayor of San Francisco, and the Board of Supervisors on issues regarding the provision of sexual assault services.

III. FISCAL PROVISIONS

- A. FUNDING ALLOCATION** - The Department of Public Health shall provide a total of \$264,835.00 (\$85,000.00 during Fiscal Year 1995/96, and \$179,835.00 during Fiscal Year 1996/97) for the provision of the services detailed in Section II above. Fiscal Year 1995/96 funding shall be work ordered to the Commission on the Status of Women upon the execution of this Memorandum of Understanding. Fiscal Year 1996/97 funding shall be work ordered to the Commission no later than August 1, 1996.
- B. BUDGET** - The allocation of funding provided by the Department of Public Health is attached to this Memorandum of Understanding as Exhibit 1.
- C. FUNDING REDUCTION, RESTRICTION OR DELETION** - If funding is reduced, restricted, or deleted by the Director of Health, the Health Commission, the Mayor of San Francisco, or the Board of Supervisors, for the purposes of this Memorandum of Understanding, the Department of Public Health shall have the option to either.
1. Cancel this agreement upon thirty(30) days written notice; or
 2. Offer to continue funding at a reduced amount; or
 3. Restrict any portion of the amount allocated.

**MEMORANDUM OF UNDERSTANDING FOR THE PROVISION OF SPECIALIZED SERVICES FOR ADULT SEXUAL ASSAULT SURVIVORS**

In the event the Department of Public Health elects Option "2" to reduce the amount of this Memorandum of Understanding, it shall be mutually understood by both parties that the Department of Public Health reserves the right to determine which services shall be reduced; and that the Department of Public Health shall determine the amount that any or all services shall be reduced. It is further understood that the Department of Public Health reserves the right to reduce some services by a greater amount than other services, at its sole discretion.

IV. NO THIRD PART BENEFICIARIES

None of the provisions of this Memorandum of Understanding are or shall be construed as for the benefit of or enforceable by any person not a party to this agreement.



MEMORANDUM OF UNDERSTANDING FOR THE PROVISION OF SPECIALIZED SERVICES FOR ADULT SEXUAL ASSAULT SURVIVORS

EXHIBIT 1**BUDGET FOR THE PROVISION OF SEXUAL ASSAULT SURVIVOR SERVICES****A. FUNDING ALLOCATION** - Funding provided by the Department of Public Health shall be allocated as follows:


1. Salary and fringe benefits of .50 FTE Class 2998 COSW Representative for the period April 1, 1996 - June 30, 1996	\$ 8,000.00
2. Salary and fringe benefits of .50 FTE Class 2998 COSW Representative for the period July 1, 1996 - June 30, 1997	32,000.00
3. Operating Expenses (telephone, mailing, reproduction services, travel, etc.) for the period April 1, 1996 - June 30, 1996	800.00
4. Operating Expenses (telephone, mailing, reproduction services, travel, etc.) for the period July 1, 1996 - June 30, 1997	3,200.00
5. Delivery of Sexual Assault Services for the period April 1, 1996 - June 30, 1997	220,845.00
TOTAL	\$264,845.00

B. DEVELOPMENT OF DETAILED BUDGET - No later than May 1, 1996, the Commission on the Status of Women shall develop a detailed budget for the expenditure of funding allocated for the delivery of sexual assault services, subject to the approval of the Department of Public Health.

**City and County of San Francisco****Department of Public Health
Forensic Services**Attachment III
Page 2 of 2**FACSIMILE**

DATE April 30, 1996

TO Sandy Brown-Richardson
Board of Supervisors' Budget Analyst
415/252-0461

FROM David Dupree 
Administrative Services Manager

SUBJECT **BUDGET ASSOCIATED WITH THE MEMORANDUM OF
UNDERSTANDING FOR THE PROVISION OF SPECIALIZED
SERVICES FOR ADULT SEXUAL ASSAULT SURVIVORS**

PAGES TWO (2)

Following is the budget referenced above.

As we discussed, the services detailed in the MOU will be funded, during the current fiscal year, through savings in the Rape Treatment Center's permanent salaries line item. Fiscal Year 1996/97 funding has been included in Forensic Services' budget request through the deletion of existing budgeted positions at the Rape Treatment Center. As a result of this funding arrangement, implementation of the MOU will not adversely impact the operating budget for the division.

If you have any questions or require additional information regarding the MOU budget, please feel free to contact me at 255-3601.

cc Kate Monico Klein

Item 4 - File 236-96-1

Department: District Attorney

Item: Resolution designating the District Attorney for the City and County of San Francisco to assume responsibility for proceedings that may result under Assembly Bill (AB) 888, the new State sexual predator law.

Description: The proposed resolution would designate the District Attorney for the City and County of San Francisco to file any petitions and handle any proceedings that may result under AB 888, the new State sexual predator law, which was approved by the State Legislature in September of 1995.

AB 888 requires the Board of Supervisors to designate either the District Attorney's Office or the City Attorney's Office to assume responsibility for proceedings under AB 888. The District Attorney's Office has been overseeing the proceedings that were established by AB 888 since January 1996. The proposed resolution would implement AB 888 in San Francisco and formally designate the District Attorney's Office to assume responsibility for proceedings under AB 888.

AB 888 provides the following:

1) Authorizes the State Department of Corrections to determine whether a person, who is in custody under its jurisdiction, is a sexually violent predator. A sexually violent predator is a person who has been convicted of a sexually violent offense against two or more victims for which he or she received a sentence, and who has a diagnosed mental disorder that makes the person a danger to the health and safety of others in that it is likely that he or she will engage in sexually violent criminal behavior. The State Department of Corrections may refer the person for evaluation by the State Department of Mental Health at least six months prior to that individual's schedule date for release from prison.

2) Two practicing psychiatrists or psychologists designated by the State Director of Mental Health would conduct an evaluation to determine whether a person is a sexually violent predator.

3) The Superior Court, in a trial by jury or court trial, would then determine beyond a reasonable doubt whether this person is a sexually violent predator. If this person has been determined to be a sexually violent predator, he or she would be committed for two years to a State Department of Mental Health facility or hospital for appropriate treatment. This individual would receive an annual examination of his or her mental condition.

4) If, after two years, the person found to be a sexually violent predator has not waived his or her right to petition the court for conditional release, the court would set a show cause hearing to determine whether the person's condition has changed and he or she would not be a danger to the health and safety of others if discharged.

5) If the person's diagnosed mental disorder has changed such that the person is not likely to commit acts of predatory sexual violence while under supervision and treatment in the community, a report would be forwarded to the committing court, which would hold a hearing to determine if the person should be conditionally released.

The proposed resolution would implement AB 888 in San Francisco and formally designate the District Attorney to file petitions and handle the proceedings related to the sexual predator law.

Comments:

1. Assistant District Attorney Ms. Nancy Stretch reports that the District Attorney's Office has been overseeing the proceedings that were established by AB 888 since January 1996, using existing staff. The proceedings consist of: 1) filing petitions for commitment; 2) obtaining an emergency order from the Superior Court to hold the defendant, pending a probable cause hearing; 3) setting pretrial and trial dates; and 4) responding to legal motions.

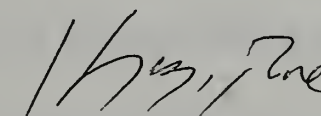
2. Ms. Stretch reports that the District Attorney's Office currently has four cases that qualify as sexual predator cases under AB 888. Although AB 888 has been approved by the State Legislature, a hearing is scheduled by the San Francisco Superior Court on May 6, 1996, regarding the constitutionality of AB 888, according to Ms. Stretch. The outcome of this hearing will establish local precedent. The issue is also on appeal to the State Court of Appeal, Sixth District.

3. Ms. Jo Ruffin of the City's Department of Mental Health Substance Abuse and Forensic Services (DMSF) Division reports that the State Department of Mental Health will be developing and implementing the mental health program components required by AB 888. Ms. Ruffin states that DMSF will not assume any of the program-related functions.

4. Mr. George Bukowski of the State Department of Mental Health reports that the State will pay for all costs associated with a person's two-year commitment in a hospital or facility fully operated and maintained by the State. Mr. Bukowski states that local jurisdictions would be responsible for paying for an individual's temporary internment at a local or State facility while he/she awaits a full trial. Ms. Stretch of the District Attorney's Office reports that these costs have yet to be determined.

5. According to Ms. Stretch, the District Attorney's Office will not request additional staff resources to oversee the proceedings established by AB 888 during FY 1995-96. However, Ms. Stretch reports that the actual service provision of temporary internment of a sexual predator will be monitored to determine if additional resources are warranted in the future.

Recommendations: Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Leal
Supervisor Yaki
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
Controller
Margaret Kisliuk

Paul Horcher
Ted Lakey

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY MAY 16, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM, ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

* * * * *

Disability Access



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For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

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HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, MAY 16, 1996 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

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REGULAR CALENDAR

1. File 194-96-1. [Class Action Lawsuit] Resolution urging the City Attorney to institute the class of cities, counties and municipalities lawsuit filed against the United States Tobacco Companies to recover the costs of caring for people with smoking-related illnesses. (Supervisor Alioto)

ACTION:

2. File 12-96-22. [California Civil Code] Resolution urging the State Legislature to amend California Civil Code Section 1714.45 which immunizes tobacco manufactures from product liability lawsuits filed in the State of California. (Supervisor Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

SF
S90.43
#3

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

5/16/96

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May 14, 1996

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendations for meeting of...*
SUBJECT: May 16, 1996 Health, Public Safety and Environment Committee Meeting

Item 1 - File 194-96-1

Note: The following report is based on an Amendment to the Whole, that will be presented at the May 16, 1996, Health, Public Safety, and Environment Committee meeting.

Department: City Attorney

Item: Resolution urging the City Attorney to institute litigation against the United States tobacco companies to recover the City's costs of providing medical treatment to all persons with smoking-related illnesses in San Francisco.

Description: The proposed resolution would urge the City Attorney to institute litigation against tobacco companies to recover the City's cost of providing medical treatment to all persons with smoking-related illnesses in San Francisco.

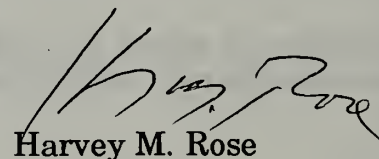
Ms. Elizabeth Laporte of the City Attorney's Office advises that the City Attorney's Office is currently unable to provide an estimate of the cost to the City Attorney's Office to institute litigation against tobacco companies, or whether additional staff would be required to institute the subject litigation.

Comment:

Ms. Laporte advises that the City Attorney's Office is in the process of compiling data, with representatives from the Department of Public Health (DPH) and UCSF, to determine the amount of City funding which is used to provide medical treatment to all persons in San Francisco with smoking-related illnesses. As of the writing of this report, Ms. Alyonik Hrushow of the DPH's Tobacco-Free Project advises that this data is not available.

Although Ms. Hrushow advises that there is currently no available data on the amount of City funds used to provide medical treatment to persons with smoking-related illnesses in San Francisco, Dr. Wendy Max of the UCSF Institute of Health and Aging, advises that in 1993, public and private health care expenditures which were attributable to smoking-related illnesses for all persons in San Francisco, were approximately \$150,644,000. Ms. Max advises that the amount of \$150,644,000 includes the cost of both public and private hospitalization, physicians, nursing homes, medication, and other professional medical services.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Leal
Supervisor Yaki
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Teng
Clerk of the Board

Chief Administrative Officer
Controller
Margaret Kisliuk
Paul Horcher
Ted Lakey

BOARD OF SUPERVISORS
BUDGET ANALYST

C A L E N D A R

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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MAY 31 1996

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REGULAR MEETING

THURSDAY, JUNE 6, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM, ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

* * * * *

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REGULAR CALENDAR

1. File 234-96-2. [Power Generation Facility] Resolution urging Mayor Willie L. Brown, Jr. to urge all City departments and agencies to refrain from taking, permitting or approving any action that would result in the development of any power generation facilities in the Bayview Hunters Point Community. (Supervisor Alioto)

ACTION:

2. File 208-95-5. [Fire Museum] Hearing to consider whether the Fire Museum artifacts should be transferred to the San Francisco City Museum. (Supervisor Alioto)
(Continued from 4/4/96)

ACTION:

3. File 121-96-9. [Gun Free Zone] Hearing to consider Draft Ordinance amending Police Code by amending Section 613.3 to prohibit the sale of firearms near churches, community centers and other locations where regularly scheduled activities are conducted for people under 18 years of age. (Supervisors Yaki, Leal, Kaufman, Bierman, Alioto, Shelley)

ACTION:

4. File 121-96-10. [Sale of Saturday Night Specials] Hearing to consider Draft Ordinance amending Police Code by amending Sections 613.1 and 613.10 to define and prohibit the sale of certain firearms deemed "Saturday Night Specials". (Supervisors Leal, Yaki, Kaufman, Bierman, Alioto, Shelley)

ACTION:

5. File 195-96-2. [Automated Victim Notification Program] Resolution urging the Mayor to urge the Sheriff to take the necessary steps to implement an automated victim notification program known as the VINE System at the earliest possible time. (Supervisors Kaufman, Alioto, Leal, Shelley, Bierman)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

SF
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/6/96

[REDACTED]

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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June 4, 1996

JUN 06 1996

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TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendations for meeting of*
SUBJECT: June 6, 1996 Health, Public Safety and Environment Committee Meeting

Items 3 and 4 - Files 121-96-9 and 121-96-10

Items: Item 3, File 121-96-9 - Draft Ordinance amending Section 613.3 of the Police Code to prohibit the sale of firearms near churches, community centers, and other locations where regularly scheduled activities are conducted for persons under 18 years of age.

Item, 4, 121-96-10 - Draft Ordinance amending Part II, Chapter 8 of the Police Code by amending Sections 613.1 and 613.10, to define and prohibit the sale of certain firearms deemed to be "Saturday Night Specials".

Description: Item 3, 121-96-9

The proposed draft ordinance would amend Section 613.3 of the Police Code to add a new provision, which would provide that the Chief of Police shall deny the issuance of a license to sell firearms if the sale of such firearms would be within 1,000 feet of a community center, church, neighborhood center, recreational center, whether public or private, where regularly scheduled activities are conducted for persons under 18 years of age. Currently, Section 613.3 contains no provision pertaining to the sale of firearms

within a certain proximity of community centers, churches, neighborhood centers, or recreational centers, where regularly scheduled activities are conducted for persons under 18 years of age.

Item 4, 121-96-10

Under the proposed draft ordinance, Section 613.1 would be amended to add a new definition, which would define "Saturday Night Special" as any of the following: (1) a pistol, revolver or firearm capable of being concealed on a person which contains a frame, barrel, breechblock (back recoil area of revolver that cartridge sets against), cylinder or slide that is not completely made of heat treated carbon steel, forged alloy or other material of equal or higher strength, (2) a semi-automatic pistol, as defined in California Penal Code Section 12001(b) which (a) is not originally equipped by the manufacturer with a locked-breech action (retards opening of firearm chamber until pressure drops enough to release cartridge), and (b) is chambered for cartridges with maximum breech pressures above 24,100 Copper Units of Pressure, (3) a pistol, revolver or firearm capable of being concealed upon the person, as defined in California Penal Code Section 1200(a) which (a) uses an action (firing) mechanism which is substantially identical in design to such action mechanisms manufactured in or before 1989 that was originally chambered to fire low pressure, low power ammunition with maximum permissible breech pressures below 19,000 Copper Units of Pressure (b) is chambered to fire high pressure, high power or low pressure, low power ammunition, with maximum permissible breech pressures above 19,000 Copper Units of Pressure, (c) is not originally equipped by the manufacturer with a non-detachable safety guard surrounding the trigger, and (d) if a low pressure, low power firearm is equipped with a barrel of less than 20 bore diameters in overall length.

"Saturday Night Special" does not include any of the following: (1) any pistol which is an antique or relic firearm or meets the specifications as outlined in Paragraphs 5, 7 and 8 of Subsection(b) of the California Penal Code Section 12020, (2) any pistol for which the propelling force consists of or is related to compressed air or any other gases not directly produced by combustion, (3) children's pop guns or toys, (4) an "unconventional pistol" as defined in California Penal Code Section 12020(c)(12), and (5) any pistol which has been modified to render it permanently inoperable or

modified to make it a device no longer classified as a "Saturday Night Special".

Section 613.10 of the Police Code would be amended to add a new provision which stipulates that firearm dealers shall not sell, lease or otherwise transfer any "Saturday Night Special". Currently, Section 613.10 contains no provision pertaining to the sale or lease of "Saturday Night Specials" by firearm dealers.

Comments:

1. Officer Barbara Campagnoli of the Police Department's Permit Division reports that the Police Department currently monitors and enforces certain regulations pertaining to licensed gun dealers. As such, Officer Campagnoli advises that the proposed amendment to Section 613.10 of the Police Code, which would stipulate that firearm dealers shall not sell, lease or otherwise transfer any "Saturday Night Special", would result in minimal, if any, additional costs to the Police Department.

2. Additionally, Officer Campagnoli advises that the proposed amendment to Section 613.3 of the Police Code, which would require the Chief of Police to deny a license to sell firearms if the sale of such firearms would be within 1,000 feet of a community, neighborhood or recreational center or church, where regularly scheduled activities are conducted for persons under 18 years of age, would not result in any additional cost to the Police Department.

Recommendation:

Approval of the proposed ordinances is a policy matter for the Board of Supervisors.

Item 5 - File 195-96-2

Item: Urging the Mayor to urge the Sheriff to take the necessary steps to implement an automated victim notification program known as the VINE system at the earliest possible time.

Description: The proposed resolution would urge the Mayor to urge the Sheriff to implement a service which provides automatic notification to crime victims and witnesses, by telephone, regarding the release or escape of convicted criminals, using a system known as Victim Information and Notification Everyday (VINE). The VINE system would also allow any interested member of the public to get information about the status of inmates using the telephone. VINE is manufactured by Automated Victim Notification Systems of Louisville, Kentucky.

According to Sergeant Richard Ridgeway of the Sheriff's Department, with the VINE system, persons who were the victim of a crime or a witness to a crime can be notified automatically, by telephone, when the perpetrator of that crime is released, paroled, or escapes from jail. The operator of the VINE system who carries out the notification to victims could be a contractor, or Sheriff's Department staff. In addition, VINE allows any person to call the system and to obtain information about the status of any inmate, using a touch-tone phone and an automated menu system. Sgt. Ridgeway advises that the VINE system is currently being used in the Cities of San Jose, Detroit, Miami and Tampa, and in the counties of Alameda, Marin, and Santa Clara, and that the system is being considered in San Mateo County.

The proposed resolution provides that notification to victims and witnesses could be provided at no cost, and that members of the general public who call the VINE system could pay a fee, to be set by the City, to help defray the cost of the system. Sgt. Ridgeway notes that the Sheriff's Department currently provides information over the phone about persons who are in the Sheriff's custody at no cost to the caller.

Comments: 1. Sgt. Ridgeway advises that Automated Victim Notification Systems has estimated that purchase and installation of the VINE system for San Francisco would cost up to \$20,000, and maintenance and operation of the system would cost approximately \$60,000 annually. No specific source of funds has been identified for this purpose, as of the writing of this report.

BOARD OF SUPERVISORS
BUDGET ANALYST

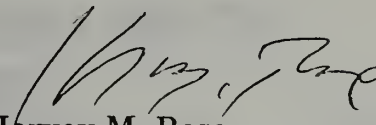
2. Sgt. Ridgeway notes that for a system such as VINE to be effective in the City, the San Francisco Police Department should be involved in the design, implementation and operation of the system.

3. State Penal Code Section 646.9(2) requires the notification, upon request, of a crime victim, family member of a crime victim, or witness to a crime, of the release from prison of a person convicted of felony crimes of; (a) stalking, or, (b) domestic violence. Under the State Code, it is the responsibility of the State Department of Corrections and of local Sheriff's Departments to carry out this notification by telephone or mail not less than 15 days prior to such a release, and it is the responsibility of the person requesting notification to keep their current phone number and address on file with the appropriate law enforcement agency. Sgt. Ridgeway notes that persons convicted of felony crimes of stalking and domestic violence are usually held in a State prison, and that the San Francisco Sheriff's Department would rarely have custody of such an inmate.

4. Sgt. Ridgeway advises that the Sheriff's Department currently attempts to provide notification of prisoner releases, and of the release of pre-trial suspects who make bail, are released on their own recognizance, or have their charges dropped, to crime victims and witnesses. However, Sgt. Ridgeway adds that due to several factors, including limited Sheriff staff time, and the fact that victims frequently do not know that such notification is available and therefore do not provide appropriate information to City law enforcement agencies, such notification cannot always be provided. The proposed resolution states that San Francisco should provide notification to all victims of violent crime.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Memo to Health, Public Safety and Environment Committee
June 6, 1996 Health, Public Safety and Environment Committee Meeting



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Leal
Supervisor Yaki
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Brown
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Teng
Clerk of the Board
Chief Administrative Officer
Controller
Margaret Kisliuk
Paul Horcher
Ted Lakey

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.

JUN 14 1996

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR MEETING

10.43
20/96
THURSDAY, JUNE 20, 1996 - 1:00 P.M.

VETERANS BUILDING
CHAMBER, ROOM 404
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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Disability Access

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THURSDAY, JUNE 20, 1996 - 1:00 P.M.

VETERANS BUILDING, Room 404

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

REGULAR CALENDAR

1. File 206-96-3. [Public Housing] Resolution urging the San Francisco Housing Authority to reconsider and reinstate its policy of providing priority in access to public housing to victims of domestic violence in emergency cases. (Supervisors Kaufman, Leal, Ammiano, Shelley, Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

Bill Lynch
Documents Section
Public Library-Main Branch
Civic Center

SF
S90.43

CALENDAR

#1

6/20/96

Special

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

* SPECIAL MEETING

DOCUMENTS DEPT.

JUN 19 1996

SAN FRANCISCO
PUBLIC LIBRARY

THURSDAY, JUNE 20, 1996 - 1:00 P.M.

VETERANS BUILDING
CHAMBER, ROOM 404
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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SPECIAL MEETING

**HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO**

THURSDAY, JUNE 20, 1996 - 1:00 P.M.

**VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 404**

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

SPECIAL CALENDAR

1. File 121-96-10. [Public Housing] Ordinance amending the San Francisco Municipal Code, Part II, Chapter 8 (Police Code) by amending Sections 613.1 and 613.10 thereto, and adding Section 613.10-1 to define and prohibit the sale of certain firearms deemed "Saturday Night Specials". (Supervisors Leal, Yaki)

**Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102**

IMPORTANT HEARING NOTICE!!!

Bill Lynch
Documents Section
Public Library-Main Branch
Civic Center

(41)

REGULAR CALENDAR

1. File 57-96-3. [Solid Waste Siting Element and Summary Plan] Resolution adopting the final draft Siting Element and final draft Summary Plan. (Chief Administrative Officer) (Final Negative Declaration adopted and issued on June 7, 1996.)

ACTION:

2. File 200-96-4. [Name Change, Rankin Pump Station] Hearing to consider renaming the Rankin Pump Station in honor of the late Bruce Flynn, City Architect. (Supervisor Ammiano)

ACTION:

3. File 121-96-9.1. [Gun Free Zone] Ordinance amending Police Code by amending Section 613.3, to prohibit the sale of firearms near churches, community centers and other locations where regularly scheduled activities are conducted for people under 18 years of age. (Supervisors Yaki, Leal, Kaufman, Bierman, Shelley, Alioto)

ACTION:

4. File 33-96-3.1. [Federal Lobbyist] Hearing to consider potential conflicts of interest involving the relationship between San Francisco's federal lobbyist, Cassidy and Associates, and the tobacco industry and any impact this relationship may have on federal legislation relating to tobacco products and the tobacco industry. (Supervisor Alioto)

ACTION:

5. File 244-96-8. [Crissy Field Plan] Hearing to consider the Crissy Field Plan Environmental Assessment and the impact the plan will have on the Marina District. (Supervisor Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

SF

S90.43

#1

7/18/96

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.

JUL 11 1996

SAN FRANCISCO
PUBLIC LIBRARYREGULAR MEETINGTHURSDAY, JULY 18, 1996 - 1:00 P.M.VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

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JUL 15 1996

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PUBLIC LIBRARY

SPECIAL MEETING

THURSDAY, JULY 18, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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SPECIAL CALENDAR

**HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO**

THURSDAY, JULY 18, 1996 – 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

SPECIAL CALENDAR

1. File 211-96-4. [High School Athletic Fields] Hearing to consider the possible use of San Francisco high school athletic fields by the Recreation and Park Department during the summer. (Supervisor Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

Bill Lynch
Documents Section
Public Library-Main Branch
Civic Center

(41)

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.

JUL 23 1996

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* SPECIAL MEETING

THURSDAY, JULY 25, 1996 - 10:30 A.M.

VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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Disability Access



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SPECIAL MEETING

**HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO**

THURSDAY, JULY 25, 1996 – 10:30 A.M.

**VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410**

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

SPECIAL

1. File 259-96-1. [Mansions Hotel] Hearing to consider the closure of the Mansions Hotel.
(Supervisors Alioto, Kaufman, Bierman)

ACTION:

**Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102**

IMPORTANT HEARING NOTICE!!!

Bill Lynch
Documents Section
Public Library-Main Branch
Civic Center

(41)

SF
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#1
8/1/96

C A L E N D A R

**HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO**

DOCUMENTS DEPT.

JUL 25 1996

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PUBLIC LIBRARY

REGULAR MEETING

THURSDAY, AUGUST 1, 1996 - 1:00 P.M.

**VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE**

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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C A L E N D A R

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, AUGUST 1, 1996 - 1:00 P.M.

**VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410**

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

REGULAR MEETING

1. File 30-96-11. [Environmental Health Assessment] Resolution endorsing an environmental health assessment research project in the Bayview Hunters Point Community. (Supervisors Yaki, Brown, Bierman, Leal, Katz, Ammiano, Kaufman, Teng, Alioto, Hsieh)
2. File 57-96-2. [Organic Waste Diversion Pilot Program] Resolution urging the Mayor to request the Solid Waste Management Program to work in cooperation with Sanitary Fill Company and its affiliated collection companies to undertake pilot programs to divert food and other organic wastes from landfill disposal and authorizing Sanitary Fill Company to divert organic waste from the Altamont Landfill. (Supervisor Alioto)

**Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102**

IMPORTANT HEARING NOTICE!!!

0.43
15/96
Cancelled
BOARD of SUPERVISORS



401 Van Ness Avenue, Room 308
San Francisco 94102-4532
554-5184

AUGUST 8, 1996

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AUG - 8 1996

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NOTICE OF CANCELLED MEETING

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the
HEALTH, PUBLIC SAFETY AND ENVIRONMENT COMMITTEE for Thursday,
August 15, 1996, at 1:00 p.m. has been cancelled. The next regularly
scheduled Health, Public Safety and Environment Committee meeting will be
held Thursday, September 5, 1996 at 1:00 p.m. in Room 410, Veterans Building,
401 Van Ness Avenue, San Francisco, CA.

A handwritten signature in cursive script, appearing to read "John L. Taylor".
John L. Taylor
Clerk of the Board

POSTED: 8/8/96

1. The first part of the report



2. The second part of the report

3. The third part of the report

4. The fourth part of the report

5. The fifth part of the report

6. The sixth part of the report

7. The seventh part of the report

8. The eighth part of the report

9. The ninth part of the report

10. The tenth part of the report

11. The eleventh part of the report

12. The twelfth part of the report

13. The thirteenth part of the report

14. The fourteenth part of the report

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

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Postcard 8/30/91

70.43
5/96
THURSDAY, SEPTEMBER 5, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

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REGULAR MEETING

1. File 208-95-5. [Fire Museum] Hearing to consider whether the Fire Museum artifacts should be transferred to the San Francisco City Museum. (Supervisor Alioto)
(Continued from 6/6/96.)

NOTE: THE CHAIR MAY ENTERTAIN A MOTION TO CONTINUE THIS ITEM.

ACTION:

2. File 207-96-4. [Gang-related Rapes] Hearing to consider the recent incidents of gang-related rapes in the City and County of San Francisco. (Supervisor Alioto)
(Continued from 5/2/96.)

ACTION:

3. File 30-96-11. [Environmental Health Assessment] Resolution endorsing an environmental health assessment research project in the Bayview Hunters Point Community. (Supervisors Yaki, Brown, Bierman, Leal, Katz, Ammiano, Kaufman, Teng, Alioto, Hsieh, Shelley)
(Continued from 8/1/96.)

ACTION:

4. File 57-96-3. [Solid Waste Siting Element and Summary Plan] Resolution adopting the final draft Siting Element and final draft Summary Plan. (Chief Administrative Officer) (Final Negative Declaration adopted and issued on June 7, 1996.)
(Continued from 7/18/96.)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

Bill Lynch
Documents Section
Public Library-Main Branch
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BOARD of SUPERVISORS



401 Van Ness Avenue, Room 308
San Francisco 94102-4532
554-5184

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JULY 18, 1996

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NOTICE OF PUBLIC HEARING

Health, Public Safety and Environment Committee

NOTICE IS HEREBY given that on Thursday, September 5, 1996 at 1:00 p.m., in the Committee Room, 4th Floor, Room 410, 401 Van Ness Avenue, San Francisco, California 94102, the San Francisco Board of Supervisors (**Health, Public Safety and Environment Committee**) will hold a public hearing to consider:

File 57-96-3. [Solid Waste Siting Element and Summary Plan] Resolution adopting the final draft Siting Element and final draft Summary Plan. (Chief Administrative Officer) (Final Negative Declaration adopted and issued on June 7, 1996.)

Copies of measures summarized above may be reviewed or obtained during normal hours of business at the Clerk's Office, Room 308, 401 Van Ness Avenue.

John L. Taylor
Clerk of the Board

POSTED: JULY 18, 1996

C A L E N D A R

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, SEPTEMBER 19, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

* * * * *

Disability Access



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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, SEPTEMBER 19, 1996 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

REGULAR MEETING

1. File 259-961-1. [Mansions Hotel] Hearing to consider the closure of the Mansions Hotel.
(Supervisors Alioto, Kaufman, Bierman)
(Continued from 7/25/96.)

ACTION:

2. File 271-96-1. [General Plan Amendment] Resolution urging the Planning Commission to amend the General Plan (formerly, San Francisco Master Plan) Objective 18, Vehicle Circulation, Policy 18.5 to discourage non-recreational and non-local traffic in and around parks and along the shoreline recreation areas. (Supervisor Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, OCTOBER 3, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

* * * * *

Disability Access



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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, OCTOBER 3, 1996 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

REGULAR MEETING

1. File 271-96-1. [General Plan Amendment] Resolution urging the Planning Commission to amend the General Plan (formerly, San Francisco Master Plan) Objective 18, Vehicle Circulation, Policy 18.5 to discourage non-recreational and non-local traffic in and around parks and along the shoreline recreation areas. (Supervisor Alioto)
(Continued from 9/19/96)

ACTION:

2. File 107-96-2. [General Assistance Program] Hearing to consider the effectiveness of the General Assistance Program for the City and County of San Francisco. (Supervisor Alioto)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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Bill Lynch
Documents Section
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CITY AND COUNTY



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BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

OCT 17 1996

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October 15, 1996

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendations for meeting of...*
SUBJECT: October 17, 1996 Health, Public Safety and Environment Committee Meeting

Item 1 - File 121-95-8

Item: Ordinance amending Chapter VIII, Part 2 of the Police Code by adding Article 46, to prohibit self-service merchandising of tobacco products, except in places to which minors have no access.

Description: The proposed ordinance would amend the Police Code to prohibit any person, business, tobacco retailer or other establishment to sell or display for sale any tobacco product by means of self-service merchandising, unless access to the premises by persons under 18 years of age is prohibited by law.

For purposes of this legislation, tobacco products would include cigarettes, cigars, pipe tobacco, smokeless tobacco, snuff or any other form of tobacco which may be utilized for smoking, chewing, inhalation or other manner of ingestion.

The proposed ordinance provides that the Chief of Police would be responsible for the administering and enforcement of the proposed legislation, which will include (1) reviewing any complaints received regarding violations

of the proposed legislation, (2) acting upon such complaints, within 30 days of receipt, by serving notice to the person, business, tobacco retailer or establishment that has committed a violation, that such violation must be corrected.

Under the proposed legislation, any person, business, tobacco retailer, or establishment that failed or refused to comply with the notice served by the Police Department, within the time period specified, would be subject to either a criminal action for an infraction or a civil action brought by the City Attorney. Every violation that is deemed an infraction shall be punishable by (1) a fine of at least \$25 but not to exceed \$100 for the first violation, (2) a fine of at least \$100 but not to exceed \$175 for the second violation and (3) a fine of at least \$175 but not to exceed \$250 for the third violation. In the case of civil action brought by the City Attorney, any person, business, tobacco retailer, or establishment would be liable for a civil penalty of \$100 for each violation. Each day such violation is committed or permitted to continue shall constitute a separate offense and subject to the \$100 penalty. The person, business, tobacco retailer, or establishment against whom a penalty is assessed, would also be liable for the costs incurred by the City Attorney's Office in bringing any civil actions.

The proposed legislation also provides that in order to encourage and assist voluntary compliance with the proposed ordinance, subject to the availability of funds, the City or its designee (such designee is not identified in the proposed legislation) may conduct informational activities to notify and educate tobacco retailers and the public regarding the provisions of the proposed ordinance.

Comment:

Sergeant John Bisordi of the Police Department advises that the Police Department believes, at this time, that the cost to the Police Department to enforce the proposed legislation would be minimal and that such costs could be absorbed within the Police Department's existing budget. However, Sergeant Bisordi adds that should there be an extraordinarily large number of complaints registered with the Police Department in connection with the proposed legislation, the Police Department may incur additional, as yet undetermined, costs which the Police Department may not be able to entirely absorb in its existing budget.

Recommendation:

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 2 - File 121-95-10

Note: This item was continued by the Health, Public Safety and Environment Committee at its meeting of December 7, 1995.

Item: Ordinance amending Police Code by adding Section 674 to prohibit the outdoor advertising and promotion of cigarettes and other tobacco products in publicly visible locations near schools, parks, playgrounds and recreation centers or facilities.

Description: The proposed ordinance would prohibit outdoor advertising of cigarettes and other tobacco products within 1,500 feet of a school, park, recreation center, or playground in San Francisco, for the purpose of discouraging and reducing illegal sales and furnishing of tobacco products to minors. The proposed ordinance would become effective six months from the date of adoption by the Board of Supervisors.

For the purposes of this legislation, outdoor advertising would include all signs, billboards, posters, etc. which are publicly visible, including those posted in the windows of stores and commercial establishments. The prohibition would not apply to; (a) advertising which is inside stores and not visible from the outside, (b) commercial establishments where access is prohibited to persons under 18, such as bars, and, (c) signs and symbols used in anti-smoking campaigns.

The proposed ordinance provides that the prohibition against outdoor advertising of tobacco products would be enforced by the Department of Public Works (DPW). The DPW would create a map of the City showing schools, parks, recreation centers, and playgrounds, and showing the 1,500 foot radii around these facilities within which outdoor advertising of tobacco products would be prohibited.

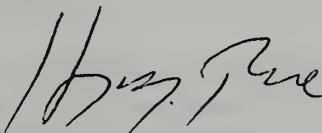
In enforcing the proposed ordinance, the DPW would; (a) review and act on any written complaint regarding outdoor advertising of tobacco products near a school, park, etc. within 30 days, and, (b) issue written notice to persons or establishments determined to be in violation of the ordinance giving such persons 30 days to act on the notice and remove the prohibited advertising. The legislation provides that an injunction may be issued against persons or establishments violating this ordinance, and that a penalty of \$100 per day for each violation can be assessed against such persons or establishments, plus the cost incurred by the City Attorney's Office in enforcing the ordinance.

Comments:

1. Ms. Denise Brady of the Department of Public Works estimates that the cost to the Department to update the City maps to show the 1,500 foot radii around schools, parks, recreation centers, and playgrounds, within which outdoor advertising of tobacco products would be prohibited, would be approximately \$16,000, based on 320 hours of staff time at an hourly rate of \$50 per hour. In addition, Ms. Brady notes that because the DPW does not typically carry out enforcement activities on private property (such as a store displaying tobacco advertising), it is likely that a substantial amount of staff time and other costs would be incurred in setting up an enforcement program. Ms. Brady advises that, as of the writing of this report, the DPW has not estimated the cost to set up an enforcement program.
2. Currently, within the Department of Public Health (DPH), the Tobacco Free Project conducts anti-smoking education efforts, and the Bureau of Environmental Health Management responds to complaints and enforces City ordinances dealing with smoking in workplaces, restaurants, retail stores, etc., and enforces ordinances regarding access to cigarette vending machines. In addition, Mr. Tom Revard of the DPH reports that in the course of their normal inspections of commercial establishments, DPH health inspectors also educate business operators regarding restrictions on smoking and access to cigarette vending machines.
3. Mr. Alec Bash of the City Planning Department reports that currently, persons who wish to erect a new sign (such as a billboard), or change certain aspects of a sign such as its size, shape, or lighting, must apply for a sign permit. However, Mr. Bash advises that the Planning Department's review of such permit applications does not address issues such as the type of advertising to be placed on signs.
4. According to Mr. Mike Morlin of the Recreation and Park Department, there are more than 200 parks, recreation centers, and playgrounds distributed around the City. According to Mr. Arturo Taboada of the San Francisco Unified School District, there are approximately 114 school sites located throughout the City.
5. Businesses which are subject to the City's Payroll/Gross Receipts Tax must pay either the higher of 1.5 percent of their total payroll (Payroll Tax), or the Gross Receipts Tax, which for most businesses is \$3.00 per \$1,000 of gross receipts. Businesses with a calculated tax liability of \$2,500 or less are

exempt from Payroll and Gross Receipts Taxes. In addition to Payroll and Gross Receipts Taxes, the City also collects Possessory Interest Taxes from outdoor advertising structures such as billboards and bus shelters. It is possible that the City could realize reduced revenues from the Payroll, Gross Receipts, and Possessory Interest Taxes as a result of a prohibition of outdoor advertising of cigarette and tobacco products near schools, parks, recreation centers, and playgrounds. However, according to Mr. Jim Vorrises of the Tax Collector's Office, the Tax Collector's Office is unable to estimate the amount of the potential decrease in Payroll Tax or Gross Receipts Tax revenues, and Mr. Les Casazza of the Assessor's Office advises that the Assessor's Office is unable to estimate the amount of the potential decrease in Possessory Interest Tax revenues to the City, as of the writing of this report.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Leal
Supervisor Yaki
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Brown
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Teng
Clerk of the Board
Controller
Steve Agostini
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CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, NOVEMBER 7, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

* * * * *

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THURSDAY, NOVEMBER 7, 1996 - 1:00 P.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

REGULAR MEETING

1. File 30-96-8. [Methamphetamine Epidemic] Hearing to consider the City's response to the growing methamphetamine epidemic. (Supervisors Leal, Alioto)

ACTION:

2. File 30-96-20. [Substance Abuse Treatment on Demand] Resolution endorsing the goal of substance abuse treatment on demand for indigent San Franciscans and urging the Mayor, the Health Commission and the Director of Public Health to provide full funding in the City and County's fiscal 1997/1998 budget for substance abuse treatment on demand. (Supervisors Leal, Alioto, Ammiano)

ACTION:

3. File 191-96-4. [Pleasanton Property Water Temple] Hearing to consider the planned destruction of the City and County's water temple in Pleasanton, California. (Supervisor Alioto)

ACTION:

4. File 107-96-2. [General Assistance Program] Hearing to consider the effectiveness of the General Assistance Program for the City and County of San Francisco. (Supervisor Alioto) (Continued from 10/3/96.)

ACTION:

SPECIAL ORDER AT-3:30 P.M.

5. File 207-96-4. [Gang-related Rapes] Hearing to consider the recent incidents of gang-related rapes in the City and County of San Francisco. (Supervisor Alioto) (Continued from 10/17/96.)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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#3

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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November 5, 1996

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendations for meeting of...*
SUBJECT: November 7, 1996 Health, Public Safety and Environment Committee Meeting

Item 2 - File 30-96-20

Item: Resolution endorsing the goal of substance abuse treatment on demand for indigent San Franciscans and urging the Mayor, the Health Commission and the Director of Public Health to provide full funding in the City's FY 1997-98 budget for substance abuse treatment on demand.

Description: The proposed resolution outlines the severity of the substance abuse problem in San Francisco and states that the current level of substance abuse treatment services in the City is insufficient to meet the demand, due to insufficient funds. The proposed resolution would endorse the goal of substance abuse treatment on demand for indigent San Franciscans and urge the Mayor, the Health Commission and the Director of Public Health to provide full funding in the City's FY 1997-98 budget for substance abuse treatment on demand.

The Office of the Sponsor of the proposed resolution requested that the Budget Analyst contact all relevant City Departments to obtain the following information:

1. A summary estimate of substance abuse treatment services funded by the Departments;
2. A summary estimate of the Departmental costs of increasing such services to enable the provision of treatment on demand; and,
3. A summary estimate of costs incurred by the Departments in responding to conditions that result from untreated substance abuse in San Francisco.

At the request of the Budget Analyst, the Departments have provided the following description of substance abuse treatment services information as well as cost information. The Departments have emphasized that the cost data contain various estimates and that a more comprehensive analysis of all of the pertinent cost data would require additional time to develop.

I. Estimate of substance abuse treatment services funded by Departments

Description of Substance Abuse Treatment Services Funded by Departments	Substance Abuse Treatment Services Costs FY 1996-97 Budgeted Expenditures		
	Prevention/ Outreach/ Education	Direct Treatment	Housing & Support Services
A. Adult Probation	\$56,272	\$270,000	Total Costs \$326,272

The Adult Probation Department currently expends \$270,000 annually in Federal funds for substance abuse treatment, and \$56,272 in General Fund monies for 1.0 FTE Supervising Probation Officer to staff a substance abuse treatment and education program for women.

Description of Substance Abuse Treatment Services <u>Funded by Departments</u>	Substance Abuse Treatment Services Costs FY 1996-97 <u>Budgeted Expenditures</u>		
	<u>Prevention/ Outreach/ Education</u>	<u>Direct Treatment</u>	<u>Housing & Support Services</u> <u>Total Costs</u>
B. Department of Public Health (DPH)			
<i>Community Substance Abuse Services</i>	\$1,200,000	\$31,000,000	\$32,200,000
Of the amount of \$1.2 million expended for substance abuse prevention services, approximately 40 percent, or \$480,000 of the funds are General Fund monies, and 60 percent, or \$720,000 are grant funds. Of the \$31 million expended for treatment, approximately 40 percent, or \$12,400,000 are General Fund monies, and 60 percent, or \$18,600,000 are grant funds.			
<i>AIDS Office</i>		6,767,544	6,767,544
The entire amount of \$6,767,544 expended for substance abuse treatment is Federal grant funds.			
<i>San Francisco General Hospital</i>		543,003	543,003
The entire amount of \$543,003 for substance abuse treatment is General Fund monies.			
Subtotal DPH	\$1,200,000	\$38,310,547	\$39,510,547

BOARD OF SUPERVISORS
BUDGET ANALYST

Memo to Health, Public Safety and Environment Committee
November 7, 1996 Health, Public Safety and Environment Committee Meeting

Description of Substance Abuse Treatment Services <u>Funded by Departments</u>	Substance Abuse Treatment Services Costs FY 1996-97 <u>Budgeted Expenditures</u>		
	<u>Prevention/ Outreach/ Education</u>	<u>Direct Treatment</u>	<u>Housing & Support Services</u> <u>Total Costs</u>
C. Department of Human Services (DHS)	\$250,000	\$34,000	\$284,000
<p>DHS provides \$34,000 annually for substance abuse services for homeless families, and \$250,000 annually for outreach and referral activities that are designed to connect families in the child welfare system with substance abuse treatment programs. The entire amount of \$34,000 is General Fund monies. Of the \$250,000, \$80,000 is General Fund monies, and the balance of \$170,000 is Federal funds.</p>			
D. Mayor's Criminal Justice Council (MCJC)	168,000		168,000

MCJC currently expends \$168,000 in federal grant funds for substance abuse prevention activities. Mr. Keith Choy of MCJC advises that the subject funds represent the final year of Federal funding for these activities.

BOARD OF SUPERVISORS
BUDGET ANALYST

Memo to Health, Public Safety and Environment Committee
November 7, 1996 Health, Public Safety and Environment Committee Meeting

Description of Substance Abuse Treatment Services Funded by Departments	Substance Abuse Treatment Services Costs FY 1996-97 Budgeted Expenditures			
	Prevention/ Outreach/ <u>Education</u>	Direct Treatment	Housing & Support Services	<u>Total Costs</u>
E. Mayor's Office of Community Development (MOCD)	\$36,600	\$45,000	\$190,000	\$271,600

MOCD currently expends \$36,600 for substance abuse prevention activities, \$45,000 for substance abuse treatment, and \$190,000 for capital improvements to substance abuse treatment sites. The total of \$271,600 is funded by the Federal Department of Housing and Urban Development.

F. Mayor's Office of Housing (MOH)	5,000,000	5,000,000
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In FY 1996-97, the MOH will expend approximately \$5,000,000 in non-General Fund monies to develop "Clean and Sober" housing. The purpose of Clean and Sober housing is to provide housing which restricts occupancy to drug and alcohol free individuals. Although Clean and Sober housing does not provide substance abuse treatment, this type of housing offers services in a continuum of care for recovering substance abusers.

Memo to Health, Public Safety and Environment Committee
November 7, 1996 Health, Public Safety and Environment Committee Meeting

Description of Substance Abuse Treatment Services <u>Funded by Departments</u>	Substance Abuse Treatment Services Costs FY 1996-97 <u>Budgeted Expenditures</u>			
	<u>Prevention/ Outreach/ Education</u>	<u>Direct Treatment</u>	<u>Housing & Support Services</u>	<u>Total Costs</u>
G. Sheriff		\$1,800,000		\$1,800,000
The entire amount of \$1.8 million expended for substance abuse treatment is General Fund monies.				
Total All Departments	\$1,710,872	\$40,459,547	\$5,190,000	\$47,360,419

II. Estimate of the Departmental costs of increasing the existing level of substance abuse services to enable the provision of substance abuse treatment on demand.

Description of Substance Abuse Treatment Services <u>Funded by Departments</u>	Estimated Additional Annual Costs to Provide Substance Abuse <u>Treatment on Demand</u>
A. Department of Public Health	
• <i>Division of Community Substance Abuse Services (CSAS)</i>	\$16,000,000 to \$20,000,000
CSAS estimates that in order to provide treatment on demand within all treatment modalities, an additional \$16 million to \$20 million annually would be necessary.	
Total Additional Annual Costs to Provide Sufficient Funds in the 1997-98 Budget for Substance Abuse Services Treatment on Demand	\$16,000,000 to \$20,000,000

III. Estimate of the costs incurred by Departments in responding to conditions that result from untreated substance abuse in San Francisco.

All departments stated that, while substance abuse clearly contributes to the costs summarized below, the Departments could not determine how much of the costs are exclusively caused by the lack of adequate funding for substance abuse services.

BOARD OF SUPERVISORS
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Maximum
Estimated Cost
(or known quantifiable costs)

A. Adult Probation

\$27,000
(plus additional costs not
quantifiable at this time)

The Adult Probation Department currently expends \$27,000 annually for drug testing (\$23,000 grant funds, \$4,000 in General Fund monies). In addition, Ms. Arlene Sauser, Chief Probation Officer, advises that of the 10,000 probationers under the Adult Probation Department, 3,600 are on probation specifically for drug related charges, however, approximately 80 percent of all probationers, or 8,000 individuals, have substance abuse problems. Chief Sauser advises that at this time it is not possible to calculate the cost to the Department for administering probation services to these probationers, or what proportion of such services could be eliminated if substance abuse treatment were available.

B. Department of Human Services

17,579
(plus additional costs not
quantifiable at this time)

The Department advises that it expends \$17,579 annually for court-ordered drug testing for families of children in the child welfare system. The entire expenditure of \$17,579 is from the General Fund. In addition, the Department advises that although it is currently unable to quantify the total costs incurred by the Department as a result of untreated substance abuse, the Department estimates that 70 percent of General Assistance clients who claim to be unemployable have substance abuse problems and 75 percent of child welfare cases are drug-related. In addition, approximately 750 homeless shelter beds, or 75 percent of shelter beds funded by DHS are used by individuals with substance abuse problems.

Maximum
Estimated Cost
(or known quantifiable costs)

C. Department of Public Health

Not Available

The Department advises that there are a significant number of individuals utilizing emergency services at San Francisco General Hospital due to substance abuse related factors. In addition, there are other costs related to neonatal services provided to drug addicted babies who are delivered at SFGH. Although the Department is currently developing estimates for these costs, as of the writing of this report, the Department is unable to quantify the costs related to providing these treatment services.

D. District Attorney

\$1,014,328

The Department expends approximately \$1,014,328 annually for the salaries and fringe benefits of nine attorneys in the Department's Narcotics Unit, including the San Francisco drug court. Of the total of \$1,014,328, \$496,925 are General Fund monies, and \$517,403 are grant funds.

E. Fire Department

Not Available

Mr. Ray Connors of the Fire Department advises that in FY 1995-96 the Fire Department responded to 1,347 incidents of substance abuse overdose. Mr. Connors advises that at this time he is unable to quantify the cost of responding to these calls.

F. Juvenile Probation

Not Available

As of the writing of this report, the Juvenile Probation Department is unable to provide cost estimates.

BOARD OF SUPERVISORS
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Maximum
Estimated Cost
(or known quantifiable costs)

G. Medical Examiner

\$201,982

The Medical Examiner expended \$185,107 in FY 1995-96 investigating 377 deaths that were either drug-caused or drug-related. In addition, the Medical Examiner performed 1,000 tests for DUI cases, for a total cost of \$15,000, and 125 substance abuse related tests requested by the Police Department for a total cost of \$1,875. Of the total amount of \$201,982, \$189,982 (94 percent) are General Fund monies, and \$12,000 (6 percent) are non-General Fund monies.

H. Trial Courts

6,600,000

Mr. Gordon Park-Li advises that approximately 60 percent of the cases processed in the criminal courts of the Municipal Court are drug-related. Therefore, Mr. Park-Li estimates that in FY 1996-97, the Department will expend approximately \$6.6 million on processing drug-related crimes.

I. Trial Courts

5,400,000

Ms. Kate Harrison advises that approximately 80 percent of the cases processed in the criminal courts of the Superior Court are drug-related. Therefore, Ms. Harrison estimates that in FY 1996-97 the Department will expend approximately \$5.4 million on processing drug-related crimes.

Maximum
Estimated Cost
(or known quantifiable costs)

J. Police Department

\$3,508,541
(plus additional costs
not quantifiable at this time)

The Police Department's Narcotics Unit expends approximately \$3,508,541 annually to enforce and investigate narcotics laws. In addition, Captain Portoni of the Police Department advises that the District Stations and special Police Department units process up to 30 drug-related cases daily. However, as of the writing of this report, the Police Department is unable to quantify the amount of funds that are expended for processing these cases.

K. Public Defender

2,400,000

Mr. Jeff Brown, the Public Defender, advises that approximately 60 percent of all Felony representations by the Public Defender are the result of or related to drugs. Mr. Brown advises that since the annual expenditure for Felony cases is \$4,000,000, the maximum Departmental expenditure that could be attributed to substance abuse is \$2,400,000 (60 percent of \$4.0 million).

Maximum
Estimated Cost
(or known quantifiable costs)

**L. San Francisco Housing Authority
(SFHA)**

\$881,520

Mr. Herb Lum of SFHA advises that between April 1, 1996 and June 30, 1996 (three months), the City Attorney billed the SFHA for 695 hours, or approximately \$68,365, to represent the SFHA in conducting rental evictions. Mr. Lum advises that although many of the cases may be related to substance abuse, as of the writing of this report, he is unable to determine the portion of rental evictions that are directly related to substance abuse. Therefore, \$273,460 (\$68,365 annualized) is the maximum amount that can be attributed to substance abuse. In addition, Mr. Lum advises that the SFHA expends \$608,060 annually for the Police Department to provide community policing activities in three housing projects, a primary purpose of which is to address substance abuse related crimes. Therefore, \$608,060 is the maximum amount that can be attributed to substance abuse.

M. Sheriff

Not Available

Deputy Chief Mary Ann de Souza advises that 70 percent of the jail population is incarcerated for substance abuse-related crimes. However, as of the writing of this report, the Sheriff is unable to determine the amount of funding that is expended for jailing individuals on substance abuse related crimes.

**Total Estimated Maximum Costs
Resulting from Untreated
Substance Abuse Services**

\$20,050,950

**BOARD OF SUPERVISORS
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Comments:

1. City Departments currently are budgeted approximately \$14,777,003 in General Fund monies and \$25,682,544 in non-General Fund monies on substance abuse treatment. An additional \$616,272 in General Fund monies, and \$6,284,600 in non-General Fund monies are spent on education, prevention, and Supportive Housing services related to substance abuse for a grand total of an estimated \$47,360,419 for FY 1996-97.

2. The DPH projects that an additional \$16 to \$20 million annually would be required to provide substance abuse treatment on demand. City Departments estimate that they currently spend up to \$20,050,950 on activities related to persons with untreated substance abuse problems. As stated earlier, these numbers are maximum estimates, because Departments are not certain how much of the costs are exclusively caused by the lack of adequate funding for substance abuse. Additionally, some costs related to untreated substance abuse, such as General Assistance, or the cost of serving time in jail, have not been quantified by the Departments as of the writing of this report.

3. In July of 1994, the State Department of Alcohol and Drug Programs published a Statewide study entitled "Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA)." The study resulted in the following findings: (1) the cost of treatment for approximately 150,000 participants represented by the CALDATA study sample in 1992 was \$209 million, while the benefits received during treatment and in the first year afterwards were worth approximately \$1.5 billion in savings to taxpayers, due mostly to reductions in crime, and (2) the benefits of alcohol and other drug treatment outweighed the costs of treatment by ratios from 4:1 to greater than 12:1 depending on the type of treatment.

4. In February of 1996 the Center on Addiction and Substance Abuse at Columbia University published a comprehensive study entitled "Substance Abuse and Urban America: Its Impact on an American City, New York" to determine the cost of substance abuse in New York. The study determined that in 1994, the cost to New York City as a result of substance abuse addiction was more than \$20 billion, including: \$5.1 billion in health care; \$4.9 billion in productivity lost from the city's economy; \$4.1 billion in police, courts, prisons and the rest of the criminal justice system; \$3.5 billion in public and private social services including welfare, food stamps and foster care; \$1.6 billion

BOARD OF SUPERVISORS
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in increased insurance, security and workers' compensation costs to business; and \$835 million in property costs. Of the \$20 billion, only \$735 million (3.7 percent) goes to treat substance abuse and addiction, and only \$80 million (.4 percent) to prevent it; the other \$19.3 billion pays for the consequences of the problem.

5. In order to estimate the cost of substance abuse to San Francisco, Mr. Jim Stillwell of CSAS applied the per capita expenditure in New York City for substance abuse related costs, as determined by the above-noted study, to the population in San Francisco. Based on this methodology, Mr. Stillwell determined that the total cost to San Francisco for substance abuse related costs is approximately \$1.7 billion, of which approximately \$369 million would be paid by the City utilizing General Fund monies, State and Federal funds, and other grant funds. The Attachment, prepared by Mr. Stillwell, provides details for the costs of substance abuse expenditures within varying categories. Mr. Stillwell advises that attributing the cost of substance abuse on a per capita basis assumes that substance abuse prevalence rates are the same in San Francisco as in New York City. However, Mr. Stillwell advises that the prevalence rates of substance abuse may be higher in the San Francisco. In addition, Mr. Stillwell advises that because the prevalence rates of substance abuse in San Francisco may be higher than in New York City, and because the per capita spending in New York City for substance abuse is higher than in San Francisco, the total estimated cost of \$1.7 billion may be understated.

The Budget Analyst notes that Mr. Stillwell estimate of \$369 million for substance abuse related expenditures in the City is higher than the estimated \$67,411,369 included parts I and II of this report because not all of the variables included in the study conducted in New York City were incorporated into the cost estimates provided by the Departments.

Recommendations: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Estimated Cost* of Substance Abuse, San Francisco , 1996

Substance Abuse Treatment Costs	\$30,000,000
Hospital Inpatient	\$238,864,758
Ambulatory	\$71,452,280
Nursing Homes & Chronic Care	\$59,893,823
Home Care	\$46,759,213
Prescription Drugs	\$30,472,296
Public Health Programs for Substance Abusers	\$30,512,488
Mental Health for Substance Abusers	\$29,933,368
Remove Tobacco Costs	(\$209,230,446)
Total Health Costs	\$298,657,780
Premature Death	\$271,589,645
Impairment	\$109,680,434
Incarceration	\$54,317,929
Non-Employment	\$53,273,354
Crime Victims	\$26,636,677
Remove Tobacco Costs	(\$157,805,522)
Total Lost Economic Productivity	\$357,692,516
Security	\$88,213,124
Health Care	\$41,801,234
Workers' Comp	\$21,318,172
Insurance	\$19,480,398
Remove Tobacco Cost	(\$2,136,412)
Total Business Costs	\$168,776,516
Total Criminal Justice Costs	\$431,735,725
Property Loss Costs	\$87,464,455
Remove Tobacco Costs	(\$4,085,166)
Total Property Loss Costs	\$83,379,289
Social Services & Education	\$367,929,629
Remove Tobacco Costs	(\$17,660,622)
Total Social Services & Education	\$350,269,007
Total Cost of Substance Abuse	\$1,720,510,832
(Total SF Municipal Costs: \$369,406,345)	

*Estimate derived from NYC ratio of population size to total costs of treated and untreated abusers as applied to SF population size. (Columbia University, Center on Addiction and Substance Abuse, 2/96)

Item 3 - File 191-96-4

Item: Hearing to consider the planned destruction of the City and County's Water Temple in Pleasanton, California.

Description: The Water Temple, located in Alameda County near I-680 and the Sunol Dam, was constructed in 1910 by the Spring Valley Water Company (the predecessor of the San Francisco Water Department) to mark the confluence of three water sources, the Alameda Creek, the De La Laguna Creek and the Pleasanton Wells. Although the Water Temple is not located within the boundaries of the City and County of San Francisco, it is the responsibility of the San Francisco Public Utilities Commission (PUC) because the PUC owns the Water Temple and the land on which it is located.

The Water Temple is a circle of twelve 50-foot fluted columns, surmounted by an inscribed tablet, with a tile roof. The underside of the roof is a polychrome ceiling of concentric figurative and geometric elements. The Water Temple is adjacent to a public use area. See the Attachment.

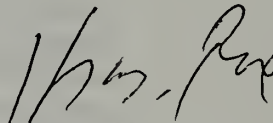
The Water Temple was designated in 1976 by the American Society of Civil Engineers as a California Engineering Landmark, in recognition of the water works first built in 1888 in the surrounding area. The last rehabilitation work on the Water Temple was completed in 1962, and according to Mr. Tim Dayonot of the PUC, the facility is in need of further rehabilitation work, including restoration of artistic works, replacement of the wooden roof and tiles, and completion of general rehabilitation.

In March, 1996, the Board of Supervisors Government Efficiency and Labor Committee considered a resolution authorizing the Public Utilities Commission to apply for, accept and expend \$820,000 of Intermodal Surface Transportation Efficiency Act (ISTEA) funds, including \$99,000 of PUC matching funds, to complete plans, designs and restoration of the Water Temple. However, this resolution was ultimately tabled by the Committee because the Metropolitan Transportation Commission (MTC), which has responsibility for selecting activities within its jurisdiction to be funded by ISTEA funds, decided not to award any ISTEA funds for the Water Temple restoration project.

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BUDGET ANALYST

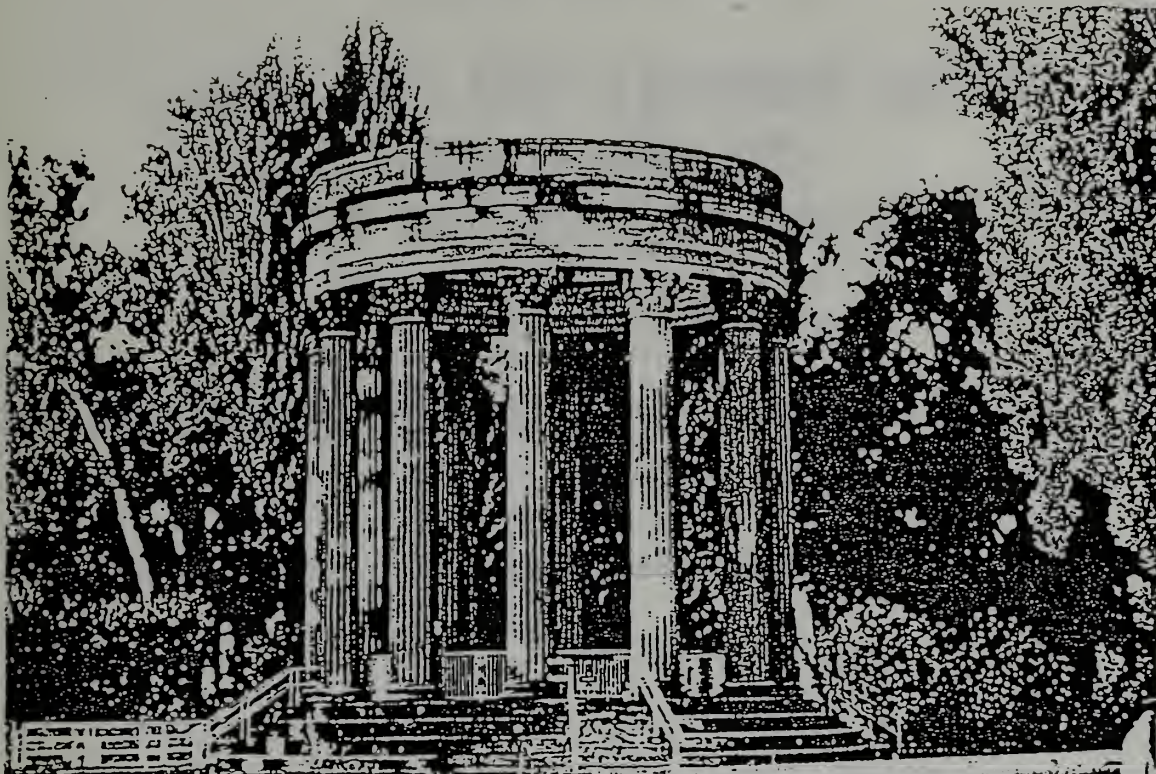
Comments: On October 8, 1996 the Public Utilities Commission approved a resolution (No. 96-0217) stating that the cultural values of the Water Temple and surrounding recreation amenities need to be protected, maintained, enhanced and where necessary, restored or replicated to its original design. As part of this resolution, the PUC directed its staff to investigate, identify, develop and obtain funding for this project and to return within six months (by April, 1997) with a plan for completely restoring the Water Temple. According to Mr. Dayonot, the PUC staff is currently pursuing the directives of the PUC's October 8, 1996 resolution and there are no plans to destroy the Water Temple.

Mr. Dayonot reports that the total estimated costs to restore the Water Temple are not precisely known since the previously tabled Board of Supervisors resolution was to include approximately \$170,000 of planning, design, engineering and art consultation work to determine the extent of the repairs needed. At that time, approximately \$650,000 was included for actual construction work. According to Mr. Dayonot, as of the writing of this report, funding sources have not yet been identified for this project.


Harvey M. Rose

cc: Supervisor Alioto
Supervisor Leal
Supervisor Yaki
President Shelley
Supervisor Ammiano
Supervisor Bierman
Supervisor Brown
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Teng
Clerk of the Board
Controller
Steve Agostini
Paul Horcher
Ted Lakey

BOARD OF SUPERVISORS
BUDGET ANALYST



Sunol Water Temple and Immediate Landscape



Public Use Area Adjacent To Sunol Water Temple

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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SAN FRANCISCO *11/27/96*
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REGULAR MEETING

*396
SF
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/5/96* THURSDAY, DECEMBER 5, 1996 - 1:00 P.M.

VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

* * * * *

Disability Access



Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F Line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.



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For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.
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REGULAR MEETING

1. File 107-96-2. [General Assistance Program] Hearing to consider the effectiveness of the General Assistance Program for the City and County of San Francisco. (Supervisor Alioto)
(Continued from 11/7/96.)

ACTION:

2. File 83-96-3. [Homeless Showers] Hearing to discuss and see models of showers for the homeless. (Supervisor Alioto)

ACTION:

3. File 118-96-2. [Cigarette Vending Machine Ban] Hearing to consider the total ban of cigarette vending machines in the City and County of San Francisco and to assess the impact on businesses that sell and/or lease vending machines. (Supervisor Alioto)
(Continued from 11/7/96.)

ACTION:

4. File 191-96-4. [Pleasanton Property Water Temple] Hearing to consider the planned destruction of the City and County's water temple in Pleasanton, California. (Supervisor Alioto)
(Continued from 11/7/96.)

ACTION:

5. File 173-96-2.1. [Oil Spill/Clean-up] Hearing to consider the recent oil spill on the San Francisco Bay, reaction and efforts by appropriate authorities and the current clean-up efforts underway. (Supervisor Yaki)

ACTION:

6. File 121-96-12. [Permit Regulations for Tow Car Companies] Ordinance amending Police Code by adding Article 30.1, providing regulations for the operation of tow car companies. (Police Commission)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

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Bill Lynch
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CITY AND COUNTY



OF SAN FRANCISCO

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BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

DEC 05 1996

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PUBLIC LIBRARY

December 3, 1996

TO: Health, Public Safety and Environment Committee

FROM: Budget Analyst *Recommendations for meeting of...*

SUBJECT: December 5, 1996 Health, Public Safety and Environment Committee Meeting

Item 4 - File 191-96-4

Note: This item was continued from the November 7, 1996 Health, Public Safety and Environment Committee Meeting.

Item: Hearing to consider the status of the City and County's Water Temple in Pleasanton, California.

Description: At the November 7, 1996 Health, Public Safety and Environment Committee meeting, the subject item was continued in order to provide additional time to examine the proposed use of the land located within the Alameda Watershed, an issue that was introduced at the November 7, 1996 Health, Public Safety and Environment Committee meeting.

City and County's Water Temple in Pleasanton, California.

The Water Temple, located in Alameda County near I-680 and the Sunol Dam, was constructed in 1910 by the Spring Valley Water Company (the predecessor of the San Francisco Water Department) to mark the confluence of three water sources, the Alameda Creek, the De La Laguna Creek and the Pleasanton Wells. Although the Water Temple is not located within the boundaries of the City and County of San Francisco, it is the

responsibility of the San Francisco Public Utilities Commission (PUC) because the PUC owns the Water Temple and the land on which it is located.

As shown in Attachment I, the Water Temple is a circle of twelve 50-foot fluted columns, surmounted by an inscribed tablet, with a tile roof. The underside of the roof is a polychrome ceiling of concentric figurative and geometric elements. The Water Temple is adjacent to a public use area.

The Water Temple was designated in 1976 by the American Society of Civil Engineers as a California Engineering Landmark, in recognition of the water works first built in 1888 in the surrounding area. The last rehabilitation work on the Water Temple was completed in 1962, and according to Mr. Tim Dayonot of the PUC, the facility is in need of further rehabilitation work, including restoration of artistic works, replacement of the wooden roof and tiles, and completion of general rehabilitation.

In March, 1996, the Board of Supervisors Government Efficiency and Labor Committee considered a resolution authorizing the Public Utilities Commission to apply for, accept and expend \$820,000 of Intermodal Surface Transportation Efficiency Act (ISTEA) funds, including \$99,000 of PUC matching funds, to complete plans, designs and restoration of the Water Temple. However, this resolution was ultimately tabled by the Committee because the Metropolitan Transportation Commission (MTC), which has responsibility for selecting activities within its jurisdiction to be funded by ISTEA funds, decided not to award any ISTEA funds for the Water Temple restoration project.

San Francisco Water Department-Alameda Watershed Management Plan

As noted above, at the November 7, 1996 Health, Public Safety and Environment Committee meeting, the subject item was continued in order to examine the proposed use of land located within the Alameda Watershed. The primary purpose of the Alameda Watershed is to provide water to residential and commercial property located in San Francisco, Alameda, San Mateo and Santa Clara Counties. Although the Alameda Watershed is not located within the boundaries of the City and County of San Francisco, the San Francisco Public Utilities Commission (PUC) owns approximately one-third (40,000 acres) of the land on which it is located.

According to Mr. Dayonot of the PUC, the SFWD has prepared a preliminary Alameda Watershed Management Plan which

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BUDGET ANALYST

outlines plans and policies for addressing water quality, water supply, natural resources, fire and safety, land uses in the Sunol Valley, and other activities located within the Alameda Watershed. Mr. Dayonot advises that on January 26, 1995, the PUC passed a resolution adopting a Preferred Alternative for land use in the Sunol Valley, among six varying land use alternatives contained in the preliminary Alameda Watershed Management Plan. Attachment II, provided by the PUC, provides a description of each of the six land use alternatives within the Sunol Valley, including Option B, the Preferred Alternative.

However, prior to final adoption by the PUC of the Alameda Watershed Management Plan, the Planning Department must complete an Environmental Impact Report (EIR) to (1) provide information about potential significant physical environmental effects resulting from the proposed activities that could occur under the Plan, (2) identify possible methods to minimize any significant physical environmental effects resulting from the Plan, and (3) describe reasonable alternatives to the range of proposed future physical changes for the land within the Alameda Watershed.

On November 6, 1996, the Planning Department held a public meeting to solicit comments on the proposed Alameda Watershed Management Plan EIR. In response, Save our Sunol, a non-profit agency which objected to the SFWD's Preferred Alternative for land use in Sunol Valley, submitted an alternative land use plan for Sunol Valley. Mr. Dayonot advises that the Planning Department will respond to the plan submitted by Save our Sunol in the forthcoming draft EIR. According to Mr. Dayonot, the draft EIR is estimated to be completed by mid-year of 1997. The final EIR is estimated to be completed by late 1997.

Comments:

1. On October 8, 1996 the Public Utilities Commission approved a resolution (No. 96-0217) stating that the cultural values of the Water Temple and surrounding recreation amenities need to be protected, maintained, enhanced and where necessary, restored or replicated to its original design. As part of this resolution, the PUC directed its staff to investigate, identify, develop and obtain funding for this project and to return within six months (by April, 1997) with a plan for completely restoring the Water Temple.

According to Mr. Dayonot, the PUC staff is currently pursuing the directives of the PUC's October 8, 1996 resolution and there are presently no plans to destroy the Water Temple.

2. Mr. Dayonot reports that the total estimated costs to restore the Water Temple are not precisely known since the prior resolution was tabled by the Board of Supervisors Government, Efficiency and Labor Committee meeting in March of 1996. At that time, total estimated costs of \$820,000 had been identified, including approximately \$170,000 for planning, design, engineering and art consultation work to determine the extent of the repairs needed, and \$650,000 for the actual construction work. According to Mr. Dayonot, as of the writing of this report, funding sources have not yet been determined for such a restoration project.



Sunol Water Temple and Immediate Landscape



Public Use Area Adjacent To Sunol Water Temple

SUNOL VALLEY RESOURCES MANAGEMENT ELEMENT- OPTIONS

Six Options were developed for this element. The key points of each option are described below:

Option A:

- Mining of existing permits and leases
- Mining north and south of I-680 (completed by approx. 2015)
- Recreation activities developed to generate revenue
- Five water storage pits: one north of I-680, four south of I-680
- Total water storage volume - mined to 200 feet - 33,700 AF

Option B:

- Mining south of I-680 only (completed by approx. 2036)
- San Antonio Creek removed to maximize storage
- Recreation activities developed to generate revenue
- Four water storage pits: all south of I-680
- Total water storage volume - mined to 200 feet - 51,800 AF

← preferred alt.

Option C:

- Water storage maximized north and south of I-680
- Maximize quarrying south of I-680 prior to mining north of I-680
- Mining north and south of I-680 (completed by approx. 2047)
- Retain San Antonio Creek
- Limited recreation activities
- Six water storage pits: one north of I-680, five south of I-680
- Total water storage volume - mined to 200 feet - 62,600 AF

Option D:

- Mining north and south of I-680 (completed by approx. 2036)
- North of I-680 - mining of existing permits and leases
- North of I-680 - expedite quarrying and reclamation
- North of I-680 - place conservation easement over land
- South of I-680 - maximize water storage
- South of I-680 - retain San Antonio Creek
- Six water storage pits: one north of I-680, five south of I-680
- Total water storage volume - mined to 200 feet - 52,300 AF

Option E:

- Mining north and south of I-680 (completed by approx. 2038)
- All activities concessionaire developed and operated at no cost to rate payer
- North of I-680 - mining of existing permits

- South of I-680 - mining of existing permits and leases
- South of I-680 - retain San Antonio Creek
- Five water storage pits: one north of I-680, four south of I-680
- Total water storage volume - mined to 200 feet - 53,100 AF

Option F:

- Mining north and south of I-680 (completed by approx. 2047)
- All activities concessionaire developed and operated at no cost to rate payer
- North of I-680 - mining of existing permits with exception of a one-quarter mile setback to the Sunol water temple
- North of I-680 - conservation easement
- North of I-680 - expedite quarrying and reclamation
- South of I-680 - maximize water storage
- South of I-680 - retain San Antonio Creek
- Six water storage pits: one north of I-680, five south of I-680
- Total water storage volume - mined to 200 feet - 63,200 AF

NO ACTION ALTERNATIVE

A "No Action" Alternative will also be evaluated in the EIR. The No Action Alternative generally represents what could be expected if the Watershed plan were not adopted, thus it is a combination of the existing situation (status quo) plus, in some cases, an extrapolation of what might be seen over a 20 year planning horizon.

Water Quality - Little to no baseline, or additional water quality monitoring would be expected under the No Action Alternative (limited monitoring of the golf course may be continued).

Water Supply - Although management of water supply is an on-going management activity within the Watershed, long-range supply planning could suffer under the No Action Alternative. In particular policies relating to protection and enhancement of Watershed vegetation may be less well defined and thus less effective.

Natural and Cultural Resources - Little vegetation management (e.g. extirpation of invasive exotics) would occur under the No Action Alternative. There would be no additional staff available for ecological resource enhancement. In particular, new policies would not be developed for the areas of:

- erosion control measures
- pest management:
- special status species management
- wetlands and aquatic habitat management
- cultural resource management (in fact there would be limited protection of historic properties) and/or
- wildlife management (see hunting below).

Fire and Safety - Little or no reduction in the fuel load beyond current fuelbreak maintenance (unimog operation, CCC labor crews) would be expected under the No Action Alternative.

Item 6 - File 121-96-12

Department: San Francisco Police Department (SFPD)

Item: Ordinance amending the San Francisco Police Code by adding Article 30.1, providing regulations for the operation of tow car companies.

Description: Article 30 of the San Francisco Police Code regulates individual operators of tow cars, covering such matters as the circumstances under which a car can be towed, the types of equipment a tow car operator must have on the tow truck, the requirement that all individual tow car operators obtain a permit from the SFPD, etc. However, no section of the Police Code regulates the tow car companies that have tow car operators as employees of the company. The proposed ordinance would add Article 30.1 to the Police Code, to regulate tow car companies.

Ms. Nati Ramirez of the District Attorney's Office reports that, at any given time, there are from 85 to 120 tow car companies that do business in San Francisco. The majority of these companies work primarily under contract to private auto body repair facilities (and therefor are not involved in towing vehicles without the prior consent of the vehicle owner), while approximately 40 of the tow car companies perform private property towing, e.g. they work under contract to private businesses, towing cars that are parked illegally on private property.

In addition, the City contracts with The City Tow to tow improperly parked cars from public streets. Ms. Ramirez advises that City Tow in turn subcontracts with approximately 10 other tow car companies to perform the towing work for the City. The proposed tow car company ordinance would apply to all companies involved in towing cars from public or private locations, including City Tow (see Comment No. 1).

Under the proposed ordinance, tow car companies such as City Tow would be required to obtain a permit from the SFPD in order to do business in San Francisco. The maximum rates that could be charged by tow car companies in San Francisco would be equal to the rates established in the City's contract(s) for towing of vehicles from public places, i.e. the rates established in the City's current contract with City Tow.

BOARD OF SUPERVISORS
BUDGET ANALYST

The permit application would specify such information as (1) the services to be provided, including the days and hours of operation, (2) the storage locations of towed vehicles, (3) the names and permit numbers of the operators who will operate the tow cars, and (4) the procedure for handling of complaints and the record of all crimes for which the applicant (company owners) have been convicted, pled guilty or pled no contest. The SFPD would also take fingerprints of the applicant.

The SFPD would be authorized to conduct an investigation of each applicant for a tow car permit, and could deny the permit for any of the following reasons:

- The applicant cannot obtain the minimum amount of bodily injury and/or property damage insurance required by the California Vehicle Code;
- The applicant does not have tow car equipment or facilities that are adequate to protect towed vehicles from damage or theft, based on rules to be established by the SFPD.
- The applicant has been convicted of any of various crimes specified in the proposed ordinance;
- The applicant has knowingly falsified the application.
- The applicant does not have a bank credit card machine.

Once a permit has been issued, the SFPD could revoke the permit if the applicant later violates any of the conditions listed above. In addition, the SFPD could revoke the permit if the applicant charges more than the maximum rate established by the City for its contracted tow firms, or if the applicant adds unauthorized additional charges to the tow fee. Permits could also be revoked for unauthorized or illegal towing of vehicles from public or private property, or for failure to take reasonable steps to prevent employees from violating the law. Failure to report towed vehicles to the City as required by the SFPD would be another ground for revocation of the tow car company permit.

The proposed ordinance would require tow companies to notify the Department of Parking and Traffic (DPT) within twenty minutes of towing a vehicle from private property. The DPT maintains a record of the identification and location of towed vehicles, so that they can respond to inquiries from persons whose vehicles have been towed. (See Comment No. 3)

Tow car company permits would be required to renew their permits annually. The proposed ordinance states that applicants will be charged the standard SFPD fee for fingerprinting (currently \$42), plus a permit fee (see Comment No. 5).

Comments:

1. The City has a five year contract, from April 29, 1994 to April 28, 1999, with City Tow. This contract was negotiated by the Department of Parking and Traffic (DPT) and the City Attorney's Office, and approved by the Board of Supervisors. However, as of the writing of this report, Ms. Linda Ross of the City Attorney's Office advised that the City Attorney had not determined the extent to which the proposed tow car company ordinance, which would apply to City Tow, would effect the existing contract with City Tow. If the subject ordinance is approved, the City Attorney should review the contract with City Tow to ensure that no amendments are necessary to achieve compliance with the tow car company ordinance.

2. Ms. Ramirez states that the District Attorney's Office receives numerous complaints regarding tow car companies, particularly related to overbilling and unreasonable charges. Ms. Ramirez advises that the proposed ordinance will make tow car companies take more responsibility in ensuring that their operators follow SFPD rules and regulations regarding towing procedures, and will regulate towing charges to prevent unfair practices.

3. Ms. Ramirez states that the purpose of requiring tow car companies to report towed vehicles to the DPT within 20 minutes of removing the vehicle is (1) to enable the DPT to respond quickly and accurately to inquiries from the public; and (2) to prevent towed vehicles from being reported by the owners as stolen, thereby unnecessarily taking SFPD time. Mr. John Newlin of the DPT states that enforcement of this requirement will not require additional funds for the DPT.

4. Ms. Ramirez advises that some tow car companies currently require payment of the tow charge in cash. If the owners of towed vehicles are unable to obtain cash, their vehicle continues to be held, and additional storage charges are added to the tow fee. The proposed ordinance would require tow car companies to accept bank credit cards as an alternative to cash payment of tow charges.

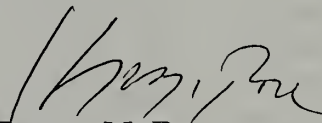
5. Officer Farrell Suslow of the SFPD states that all costs of processing and enforcing the proposed tow car company ordinance will be covered by the tow car company permit fee. Officer Suslow states that the SFPD will submit a proposed

BOARD OF SUPERVISORS
BUDGET ANALYST

fee schedule for Board of Supervisors approval in the near future, requesting a permit fee to be charged to tow car companies of \$346 for the first tow car, and \$138 for each additional tow car operated by a tow car company. Officer Suslow advises that these rates are similar to those charged to taxicab licenses, because the SFPD anticipates that the costs of processing and enforcing the proposed tow car company ordinance will be similar to the costs of enforcing taxicab company regulations.

6. The Budget Analyst recommends that the proposed ordinance be amended to state that the permit provisions of the ordinance will take effect at such time as the Board of Supervisors approves a fee schedule for issuance of tow car company permits, in order to ensure full recovery of costs by the City.

- Recommendations:**
1. If the subject tow car company ordinance is approved, the City Attorney should review the existing contract with City Tow to ensure that no amendments to the City Tow contract are necessary to achieve congruence with the tow car company ordinance.
 2. Amend the proposed ordinance to state that the permit provisions of the ordinance will take effect at such time as the Board of Supervisors approves a fee schedule for issuance of tow car company permits.
 3. Approval of the proposed tow car company ordinance, as amended, is a policy decision for the Board of Supervisors.


Harvey M. Rose

cc: Supervisor Alioto Supervisor Katz
Supervisor Leal Supervisor Teng
Supervisor Yaki Clerk of the Board
President Kaufman Controller
Supervisor Ammiano Steve Agostini
Supervisor Bierman Paul Horcher
Supervisor Brown Ted Lakey
Supervisor Hsieh

BOARD OF SUPERVISORS
BUDGET ANALYST

CALENDAR

HEALTH, PUBLIC SAFETY & ENVIRONMENT COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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SPECIAL MEETING

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12/19/96*
THURSDAY, DECEMBER 19, 1996 - 12:00 NOON

VETERANS BUILDING
COMMITTEE ROOM 410
401 VAN NESS AVENUE

MEMBERS: Supervisors Angela Alioto, Susan Leal, Michael Yaki

CLERK: Rosemary Little-Horanzky

* * * * *

Disability Access



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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

THURSDAY, DECEMBER 19, 1996 - 12:00 NOON

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: SUPERVISORS ALIOTO, LEAL, YAKI

CLERK: ROSEMARY LITTLE-HORANZY

SPECIAL MEETING

1. File 121-95-12. [Permit Regulations for Tow Car Companies] Ordinance amending the Police Code by adding Article 30.1, Sections 3050 through 3065, providing regulations for the operation of tow car companies. (Police Commission)

ACTION:

Health, Public Safety & Environment Committee
S.F. Board of Supervisors
Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

Bill Lynch
Documents Section
41 Main Library-Civic Center
100 Larkin Street

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642

FAX (415) 252-0461

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December 17, 1996

TO: Health, Public Safety and Environment Committee

FROM: Budget Analyst *Recommendations...*

SUBJECT: December 19, 1996 Special Health, Public Safety and Environment Committee Meeting

Item 1 - File 121-96-12

Note: This item was rereferred from the Board of Supervisors Meeting of December 16, 1996.

Department: San Francisco Police Department (SFPD)

Item: Ordinance amending the San Francisco Police Code by adding Article 30.1, providing regulations for the operation of tow car companies.

Description: Article 30 of the San Francisco Police Code regulates individual operators of tow cars, covering such matters as the circumstances under which a car can be towed, the types of equipment a tow car operator must have on the tow truck, the requirement that all individual tow car operators obtain a permit from the SFPD, etc. However, no section of the Police Code regulates the tow car companies that have tow car operators as employees of the company. The proposed ordinance would add Article 30.1 to the Police Code, to regulate tow car companies.

Ms. Nati Ramirez of the District Attorney's Office reports that, at any given time, there are from 85 to 120 tow car companies that do business in San Francisco. The majority of these companies work primarily under contract to private auto body repair facilities (and therefor are not involved in towing vehicles without the prior consent of the vehicle owner), while approximately 40 of the tow car companies perform private property towing, e.g. they work under contract to private businesses, towing cars that are parked illegally on private property.

In addition, the City contracts with The City Tow to tow improperly parked cars from public streets. Ms. Ramirez advises that City Tow in turn subcontracts with approximately 10 other tow car companies to perform the towing work for the City. The proposed tow car company ordinance would apply to all companies involved in towing cars from public or private locations, including City Tow (see Comment No. 1).

Under the proposed ordinance, tow car companies such as City Tow would be required to obtain a permit from the SFPD in order to do business in San Francisco. The maximum rates that could be charged by tow car companies in San Francisco would be equal to the rates established in the City's contract(s) for towing of vehicles from public places, i.e. the rates established in the City's current contract with City Tow.

The permit application would specify such information as (1) the services to be provided, including the days and hours of operation, (2) the storage locations of towed vehicles, (3) the names and permit numbers of the operators who will operate the tow cars, and (4) the procedure for handling of complaints and the record of all crimes for which the applicant (company owners) have been convicted, pled guilty or pled no contest. The SFPD would also take fingerprints of the applicant.

The SFPD would be authorized to conduct an investigation of each applicant for a tow car permit, and could deny the permit for any of the following reasons:

- The applicant cannot obtain the minimum amount of bodily injury and/or property damage insurance required by the California Vehicle Code;
- The applicant does not have tow car equipment or facilities that are adequate to protect towed vehicles from

damage or theft, based on rules to be established by the SFPD.

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necessary to achieve compliance with the tow car company ordinance.

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5. Officer Farrell Suslow of the SFPD states that all costs of processing and enforcing the proposed tow car company ordinance will be covered by the tow car company permit fee. Officer Suslow states that the SFPD will submit a proposed fee schedule for Board of Supervisors approval in the near future, requesting a permit fee to be charged to tow car companies of \$346 for the first tow car, and \$138 for each additional tow car operated by a tow car company. Officer Suslow advises that these rates are similar to those charged to taxicab licenses, because the SFPD anticipates that the costs of processing and enforcing the proposed tow car company ordinance will be similar to the costs of enforcing taxicab company regulations.

6. The Budget Analyst recommends that the proposed ordinance be amended to state that the permit provisions of the ordinance will take effect at such time as the Board of Supervisors approves a fee schedule for issuance of tow car company permits, in order to ensure full recovery of costs by the City.

- Recommendations:**
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 3. Approval of the proposed tow car company ordinance, as amended, is a policy decision for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Leal
Supervisor Yaki
President Kaufman
Supervisor Ammiano
Supervisor Bierman
Supervisor Brown
Supervisor Hsieh
Supervisor Katz
Supervisor Teng
Clerk of the Board
Controller
Steve Agostini
Stephen Kawa
Ted Lakey

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1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
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DEC 19 1996

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December 17, 1996

TO: Health, Public Safety and Environment Committee
FROM: Budget Analyst *Recommendations for ...*
SUBJECT: December 19, 1996 Health, Public Safety and Environment Committee Meeting

Item 2 - File 173-96-2.1

Item: Hearing to consider the recent oil spill on the San Francisco Bay, the reaction and efforts of appropriate authorities, and the current clean-up efforts underway.

Description: During the afternoon of October 28, 1996, the Cape Mohican, a federally-owned Maritime Administration barge transport ship that was being serviced at drydock no. 2, located at Pier 70, released approximately 80,000 gallons of a mixture of heavy bunker oil and diesel oil (known as intermediate fuel oil) onto the top of the drydock. Ms. Roberta Jones of the Port, advises that most of the fuel oil was contained on the drydock. However, because the walls of the drydock are not watertight, an undetermined amount of the fuel oil flowed from the drydock into San Francisco Bay.

Pursuant to Federal and State oil spill response laws, regulations and guidance documents, the oil spill response activities for the Cape Mohican incident have been directed by the U.S. Coast Guard and the California Department of Fish and Game, Office of Oil Spill Prevention and Response (OSPR), under a unified command.

Ms. Jones advises that according to the Coast Guard, by the evening of October 28, 1996, the spill was almost completely

contained by a series of booms around the entire drydock facility. A boom is a floating plastic device that is placed around the edges of an oil spill for containment purposes. However, later in the evening, a storm caused an undetermined amount of the contained oil to wash over the booms and begin migrating north through the Bay. Ms. Jones advises that the most heavily-impacted areas were located closer to the source of the spill, but surveillance crews discovered oil on beaches and structures as far north as Marin County and outside of the Golden Gate. Sections of the San Francisco waterfront, especially the area between Pier 50 and the Ferry Building received the heaviest impact, according to Ms. Jones.

As of the writing of this report, the primary clean-up of beaches and public access areas has been completed. However, because the clean-up procedures themselves can be ecologically detrimental, as a result of a portion of the oil on the shore inevitably returning to the Bay during the clean-up process, the clean-up of South Beach Harbor Marina has been delayed until March 31, 1997, pending the termination of the herring season, according to Ms. Jones.

Comments:

1. Ms. Elaine Warren of the City Attorney's Office advises that, to date, the following six City Departments have expended a total of approximately \$33,000 in staff-time assisting the U.S. Coast Guard and the State in responding to the spill: (1) the Department of Public Health (\$600), (2) Office of Emergency Services, (\$1,200), (3) City Attorney (\$3,000), (4) Public Utilities Commission (\$5,000), (5) the Port (\$19,000, including \$13,500 for water, and \$5,500 for staff time, and (6) the Fire Department, (\$5,000). Ms. Warren advises that the Federal Oil Spill Fund will reimburse the City for these costs, because the Federal government has agreed to reimburse all involved governmental agencies for the direct costs, such as staff-time, of responding to the spill.

2. Ms. Warren advises that San Francisco Drydock, the private firm responsible for drydock activities at Drydock No. 2, has hired private contractors to clean up the damage to City property, under the direction of the State Department of Fish and Game, and the U.S. Coast Guard. Therefore, the City has not been responsible for clean-up costs. In addition, the San Francisco Drydock has authorized its insurance company to resolve third-party claims, such as damage to yachts and other private property. The insurance company has cleaned the City's two fireboats that are moored at the Port's docks.

3. Ms. Jones advises that the Port has hired the consulting firm of Levine-Fricke Recon in order to assist the Port in assessing the damage to Port property, and to review cleanup guidelines developed for the subject spill. Ms. Jones advises that the cost of these consulting services will be approximately \$35,000.

Ms. Warren advises that because these costs are considered third party damages (i.e., costs that were not incurred by the Port in direct response to the spill), the Federal Oil Spill Fund will not reimburse the Port for these expenses. However, Ms. Warren anticipates that the Port will seek reimbursement for these expenses, and any property damage claims it may have, from the insurance company for San Francisco Drydock, or other parties, if any, responsible for the spill.

4. Ms. Warren advises that although most of the spill has been cleaned up, it is too soon to determine the extent of permanent damage to City property because not all of the oil that can be removed has been removed to date, and the clean-up efforts have been delayed at South Beach Harbor Marina until the end of the herring season.

5. In summary, the City expects to be reimbursed by the Federal Oil Spill Fund for the \$33,000 in direct costs incurred in responding to the oil spill. Another \$35,000 is being spent by the Port for damage assessment consulting services, for which the City Attorney will seek reimbursement from San Francisco Drydock's insurance company, or other responsible parties. As of the writing of this report, the quantity of additional claims to be filed by the City for property damages related to any permanent damage to Port property is unknown. The assessment of such damages is in progress.

Memo to Health, Public Safety and Environment
December 19, 1996 Meeting of IV

Item 3 - File 118-96-2

Item: Ordinance amending Part II, Chapter V of the Health Code by amending Article 19D, encompassing Section 1009, to ban cigarette vending machines in the City and County of San Francisco, even those located in places where minors are not permitted by law.

Description: The San Francisco Health Code currently restricts the sale of cigarettes from vending machines to places where minors are not permitted. New Federal Food and Drug Administration (FDA) regulations, scheduled to become effective in August of 1997, would institute the same restriction nationally.

The proposed ordinance would institute a complete ban on the sale of cigarettes from vending machines anywhere in San Francisco. The proposed ordinance states that, "In San Francisco, minors manage to gain entry to places where they are not permitted by law, and to purchase or otherwise obtain cigarettes from vending machines in those places."

Ms. Barbara Solomon of the City Attorney's Office advises that in order to institute the proposed ordinance, the City would have to obtain an exemption from the FDA, permitting the City to enact a more restrictive ban on cigarette vending machines than that which will be promulgated under the new Federal regulations. Ms. Solomon estimates that the City Attorney's Office would incur staff costs of approximately \$4,000 to seek such an exemption from the FDA.

Mr. Jack Breslan of the Department of Public Health (DPH) states that he anticipates that DPH enforcement costs of the proposed ordinance would be negligible, because the DPH already inspects the types of establishments that would be affected (e.g. bars and nightclubs), because of their sale of food and beverages. The City Attorney's Office would incur enforcement costs related to establishments that fail to remove cigarette vending machines, but such costs cannot be predicted in advance of implementation of the proposed ordinance.

Memo to Health, Public Safety and Environment Committee
December 19, 1996 Meeting of Health, Public Safety and Environment Committee

Recommendation: Approval of the proposed ordinance is a policy decision for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto
Supervisor Leal
Supervisor Yaki
President Kaufman
Supervisor Bierman
Supervisor Ammiano
Supervisor Brown
Supervisor Hsieh
Supervisor Katz
Supervisor Teng
Clerk of the Board
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Steve Agostini
Stephen Kawa
Ted Lakey

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HEALTH, PUBLIC SAFETY AND ENVIRONMENT COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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CANCELLED MEETING

THURSDAY, JANUARY 2, 1997 1:00 P. M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410
SAN FRANCISCO, CA 94102

MEMBERS: Supervisors Angela Alioto, Susan Lee, Michael Yaki

CLERK: Rosemary Little-Horanzky

* * * * *

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Both the Committee Room and the Chamber are wheelchair accessible. The closest accessible DART Station is Civic Center, 2 1/2 blocks from City Hall. Accessible MUNI line serving this location is the #42 Downtown Loop as well as the MARIU stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the HEALTH, PUBLIC SAFETY AND ENVIRONMENT COMMITTEE for Thursday, January 2, 1997, at 1:00 p.m. has been cancelled. The next regularly scheduled Health, Public Safety and Environment Committee meeting will be held Thursday, January 16, 1997 at 1:00 p.m. in Room 410, Veterans Building, 401 Van Ness Avenue, San Francisco, CA.

John L. Taylor
Clerk of the Board

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